

INTER-OFFICE CORRESPONDENCE

DATE: August 8, 1994

SUBJECT: Mt. Wilson Substation Property
Road Widening
Case No. 90-421 XA
3rd Election District

ST:bjs

c: Robert Hoffman, Esq.
Venable, Baetjer & Howard
210 Allegheny Avenue
Towson MD 21204
Avery Harden, DPW

MTWILSON.MMO/PZONE/TXTJJD

BALTIMORE COUNTY, MARYLAND

OFFICE OF FINANCE - REVENUE DIVISION

MISCELLANEOUS CASH RECEIPT

No. 150430

DATE 8/30/94 ACCOUNT 001-6150

AMOUNT \$ 40.00 (WCR)

RECEIVED Venable, Baetjer & Howard

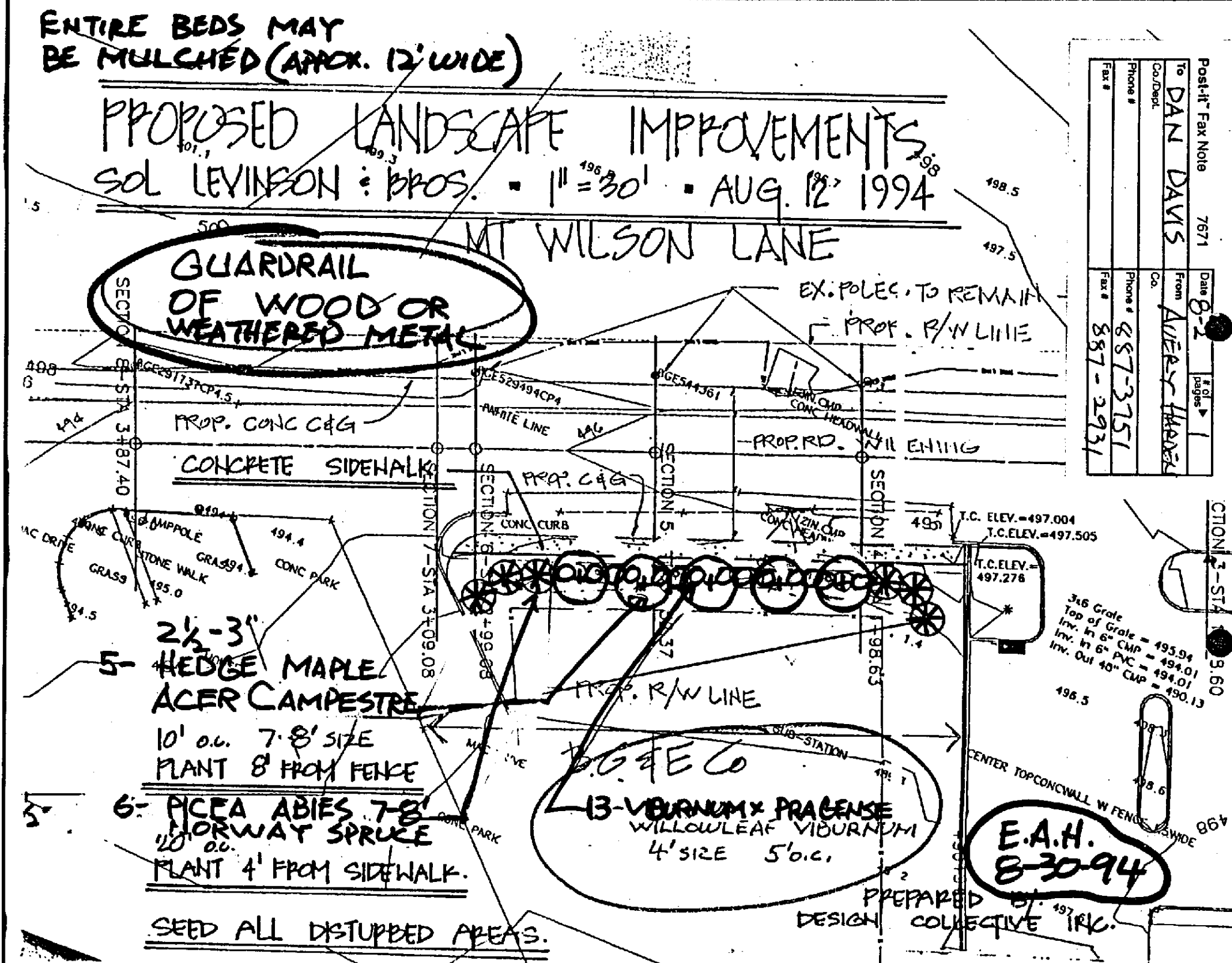
FROM: #710 - VERIFICATION
Mt. Wilson Substation

FOR: #00-421-XA

01A01#0090MICRRE \$40.00

VALIDATION OR SIGNATURE OF CASHIER

DISTRIBUTION
WHITE - CASHIER
PINK - AGENCY
YELLOW - CUSTOMER



07/05/94 14:59 4i04946200

VENABLE B&H

002

IN RE: PETITIONS FOR SPECIAL EXCEPTION * BEFORE THE
AND VARIANCE - NW/Cor. Reisterstown
Road and Mt. Wilson Lane * DEPUTY ZONING COMMISSIONER
3rd Election District
3rd Councilmanic District * OF BALTIMORE COUNTY

Mt. Wilson Office Center * Case No. 94-384-XA
Limited Partnership -
Petitioners *

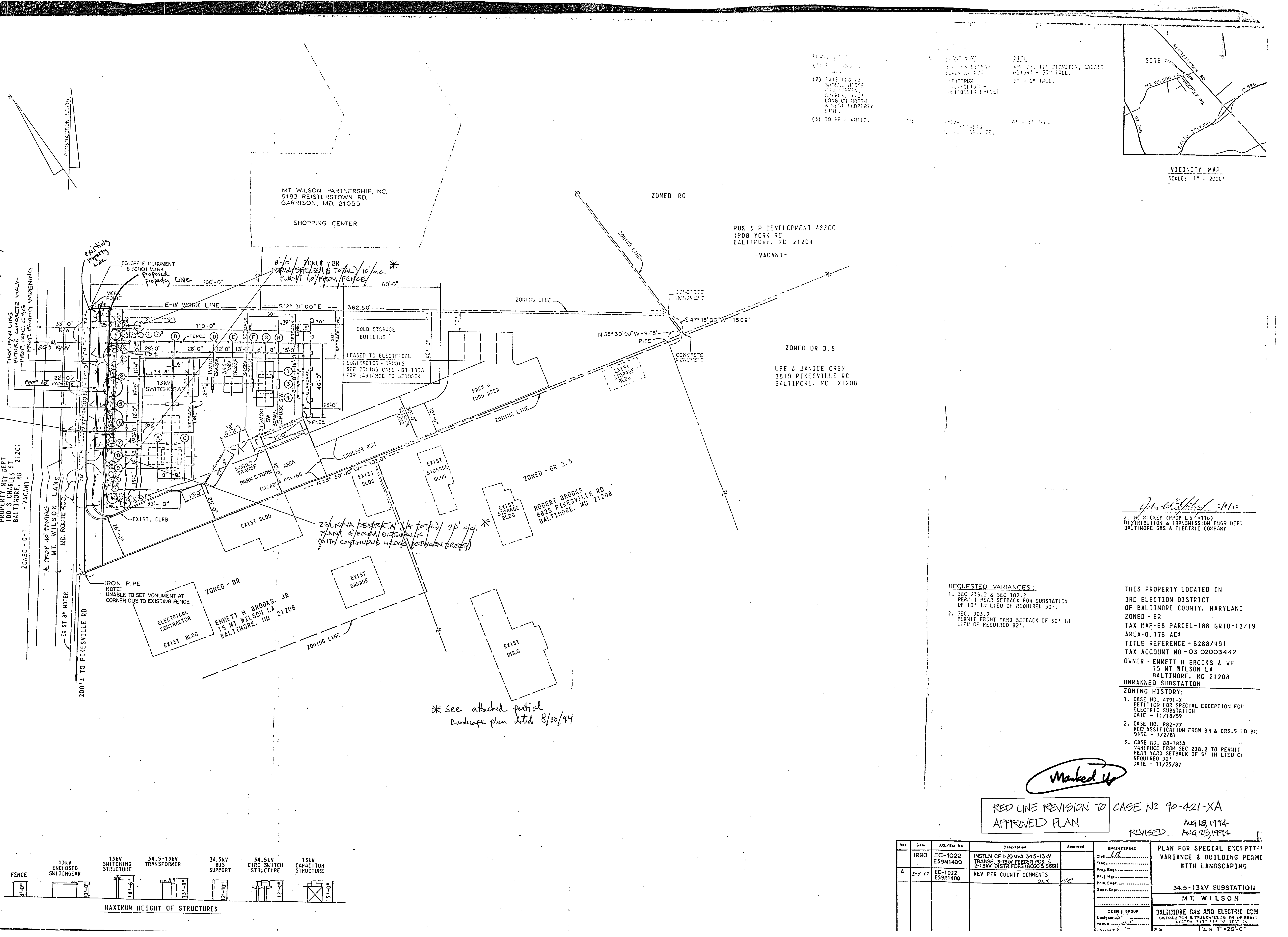
FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Special Exception and Variance for the subject property located at the corner of Reisterstown Road and Mt. Wilson Lane in the Pikesville area of northwestern Baltimore County. The Petition was filed by the owners of the property, Mt. Wilson Office Center Limited Partnership, by Columbia Realty, Inc., a General Partner, through Robert R. Moxley, President, and the Contract Purchaser, Sol Levinson Brothers, Inc., by Irvin B. Levinson, Vice President. The Petitioners seek a special exception to permit a funeral establishment on the subject property, pursuant to Sections 204.3.B.1 and 1801.1.C.8, and variance relief from Section 413.1.A of the B.C.Z.R. to permit an illuminated sign of 50 sq.ft. in lieu of the maximum permitted 1 sq.ft. The subject property and relief sought are more particularly described on Petitioner's Exhibit 1.

Appearing on behalf of the Petitions were Irvin, Ira, Burton and Stanley Levinson for Sol Levinson Brothers, Inc., Contract Purchaser, George Frizzell, Real Estate Appraiser, Wes Guckert, Traffic Engineering expert with The Traffic Group, Rabbi H. N. Neuberger, Edward Haladay, Architect, and others. The Petitioners were represented by Robert A. Hoffman, Esquire. Appearing as Protestants in the matter were numerous residents of the surrounding community, including Kenneth Sidle, Lillian

ORIGINAL FILED

Date:



- EXISTING
- (1) EXISTING
 - (2) EXISTING
 - (3) TO BE PLANTED

EXISTING

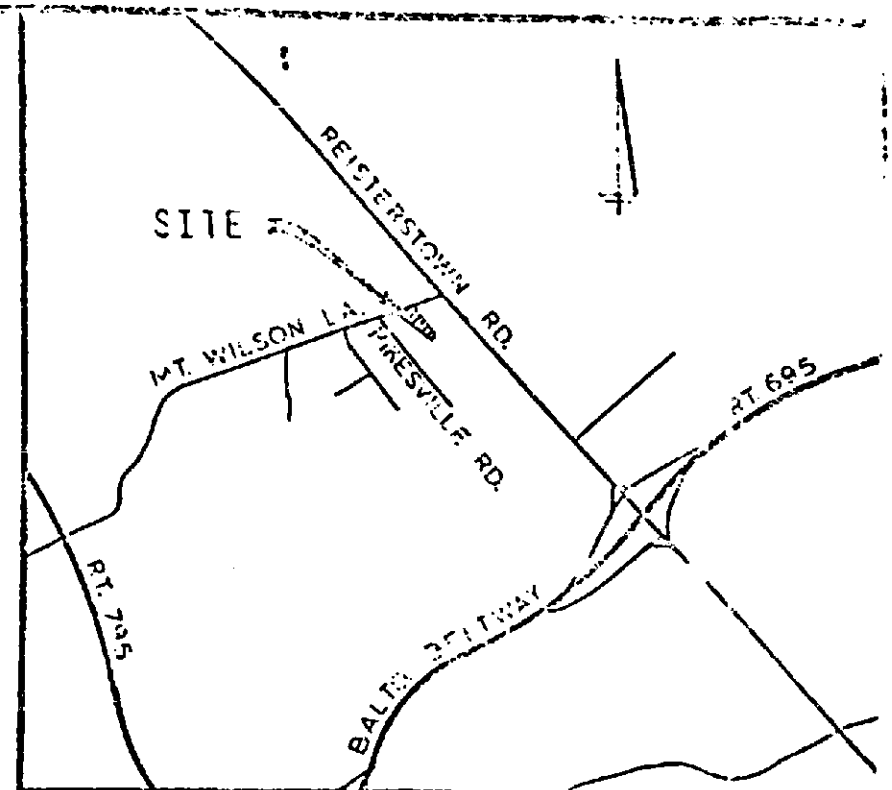
EXISTING

EXISTING

EXISTING

EXISTING

EXISTING



VICINITY MAP

SCALE: 1" = 2000'

PUK & P DEVELOPMENT ASSOC
1908 YORK RD
BALTIMORE, MD 21204

-VACANT-

ZONED DR 3.5

LEE & JANICE CREW
8819 PIKESVILLE RD
BALTIMORE, MD 21208

ZONED - DR 3.5

ROBERT BROOKS
8825 PIKESVILLE RD
BALTIMORE, MD 21208

ZONED - BR

EMMETT H. BROOKS, JR
15 MT WILSON LA
BALTIMORE, MD 21208

* See attached partial
Landscape plan dated 8/30/94

- REQUESTED VARIANCES:
- 1. SEC 235.2 & SEC 102.2
PERMIT REAR SETBACK FOR SUBSTATION
OF 10' IN LIEU OF REQUIRED 30'.
 - 2. SEC. 303.2
PERMIT FRONT YARD SETBACK OF 50' IN
LIEU OF REQUIRED 82'.

THIS PROPERTY LOCATED IN
3RD ELECTION DISTRICT
OF BALTIMORE COUNTY, MARYLAND
ZONED - BR
TAX MAP-68 PARCEL-188 GRID-13/19
AREA-0.776 AC±
TITLE REFERENCE - 6288/491
TAX ACCOUNT NO - 03 02003442
OWNER - EMMETT H. BROOKS & WF
15 MT WILSON LA
BALTIMORE, MD 21208
UNMANNED SUBSTATION
ZONING HISTORY:
1. CASE NO. 4791-X
PETITION FOR SPECIAL EXCEPTION FOR
ELECTRIC SUBSTATION
DATE - 11/18/59
2. CASE NO. R82-77
RECLASSIFICATION FROM BR & DR3.5 TO BR
DATE - 3/2/81
3. CASE NO. 88-183A
VARIANCE FROM SEC 238.2 TO PERMIT
REAR YARD SETBACK OF 5' IN LIEU OF
REQUIRED 30'
DATE - 11/25/87

RED LINE REVISION TO CASE N2 90-421-XA
APPROVED PLAN
Aug 18, 1994
REVISED Aug 23, 1994

Rev	Date	J.O./Est No.	Description	Approved	ENGINEERING	PLAN FOR SPECIAL EXCEPTION VARIANCE & BUILDING PERMIT WITH LANDSCAPING
1990	EC-1022 E59M1400	INSTN OF 1-20MVA 34.5-13KV TRANSF 3-13KV FEEDER POS. 6 2-13KV DISTR. FORS (8660 & 9601)			Civil..... Elec..... Mech..... Plumbing..... Struct..... Thermal..... Transportation..... Water..... Waste..... Other.....	34.5-13KV SUBSTATION MT. WILSON
A	2-2-94 EC-1022 E59M1400	REV PER COUNTY COMMENTS	D.E.T.		DESIGN GROUP Baltimore Gas and Electric Co. Distribution & Transmission Engineering System, 110-138KV, 138KV, 138KV 138KV, 138KV, 138KV	BALTIMORE GAS AND ELECTRIC CO. DISTRIBUTION & TRANSMISSION ENGINEERING SYSTEM, 110-138KV, 138KV, 138KV 138KV, 138KV, 138KV

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3353

J. Robert Haines
Zoning Commissioner

April 16, 1990

John B. Howard, Esquire
210 Allegheny Avenue
Towson, MD 21204

RE: Item No. 265, Case No. 90-421-XA
Petitioner: Emmett H. Brooks, Jr.
Petition for Special Exception and
Variance

Dear Mr. Howard:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

IT WOULD BE APPRECIATED IF YOU WOULD RETURN YOUR WRITTEN COMMENTS TO MY OFFICE, ATTENTION JULIE MINIARSKI. IF YOU HAVE ANY QUESTIONS REGARDING THIS, PLEASE CONTACT HER AT 887-3391.

Very truly yours,

James E. Dyer
JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

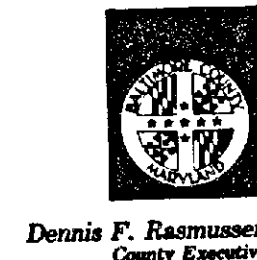
JED:jw

Enclosures

cc: Mr. & Mrs. Emmett H. Brooks, Jr.
Mr. George D. England

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3353

J. Robert Haines
Zoning Commissioner



Your petition has been received and accepted for filing this
14th day of February, 1990.

J. Robert Haines
J. ROBERT HAINES
ZONING COMMISSIONER

Received By:

James E. Dyer
Chairman,
Zoning Plans Advisory Committee

Petitioner: Emmett H. Brooks, et ux

Petitioner's Attorney: John B. Howard

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: J. Robert Haines
Zoning Commissioner

DATE: April 9, 1990

FROM: Pat Keller, Deputy Director
Office of Planning and Zoning

SUBJECT: Emmett H. Brooks, Jr./Baltimore Gas and Electric
Company, Inc., Item 265

The Petitioners request a Variance to permit a rear setback of 10 ft. for an outdoor public utility service center (substation); and to permit a front setback of 50 ft.; and to amend the site plan as required in Case No. 88-183A.

Staff supports the Petitioners' request provided that dense, compact screening is provided along Mt. Wilson Lane.

Should the Petitioners' request be granted, staff offers the following restriction:

- A final landscape plan shall be submitted to the Deputy Director of the Office of Planning and Zoning prior to the issuance of any building permit.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3211.

PK/JL/cmm

Baltimore County
Department of Public Works
Bureau of Traffic Engineering
Courts Building, Suite 405
Towson, Maryland 21204
(301) 887-3554



March 9, 1990

Mr. J. Robert Haines
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Dear Mr. Haines:

The Bureau of Traffic Engineering has no comments for items number 259, 261, 262, 263, 264, 265, 266, 267, 268, and 270.

Very truly yours,

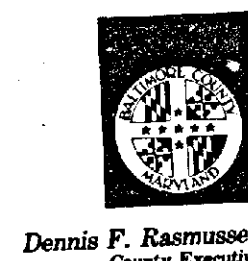
Michael S. Flanigan
Michael S. Flanigan
Traffic Engineer Assoc. II

MSF/lab

MAR 21 1990

Baltimore County
Fire Department
Towson, Maryland 21204-2586
484-4500
Paul H. Reincke
Chief

MARCH 14, 1990



J. Robert Haines
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, MD 21204

RE: Property Owner: EMMETT H. BROOKS, JR.
Location: S/S MT. WILSON LANE
Item No.: 265 Zoning Agenda: MARCH 6, 1990
Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

7. The Fire Prevention Bureau has no comments at this time.

REVIEWER: *Pat Keller* 3/14/90 Noted and Approved *Paul H. Reincke*
Planning Group Fire Prevention Bureau
Special Inspection Division

JK/KEK

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Zoning Advisory Committee DATE: March 5, 1990

FROM: Robert W. Bowling, P.E.

RE: Zoning Advisory Committee Meeting
for March 6, 1990

The Developers Engineering Division has reviewed the subject zoning items and we have no comments for Items 262, 263, 264, and 268.

For Item 259 the previous County Review Group comments remain in effect.

For Item 261 the minimum width for a single panhandle frontage is 20 feet (12 feet is shown). The septic area on the opposite side of the road would require crossing of the public road R/W with private sewer line (which would require a franchise agreement).

For Items 265, 269 and 270, a County Review Group Plan may be required for each property.

For Items 267 and 268 the previous County Review Group comments remain in effect.

For Item #203 revised - Caves Valley Gold Club - the previous County Review Group comments still apply.

Amendment for 90-154A - No. 819 Ridgeleigh Road, we have no comments.

Robert W. Bowling
ROBERT W. BOWLING, P.E., Chief
Developers Engineering Division

RWB:s

QUALIFICATIONS OF APPRAISER (Bernard F. Semon)

MEMBER

Baltimore County Appraiser's Society - President,
1978-80

Greater Baltimore Board of Realtors, Inc. - Past
Chairman of Executive Committee - Appraisal Division

Baltimore County Chamber of Commerce - President
1984

Home Builders Association of Maryland - Instructor -
School of Building and Construction
Commercial Division

EDUCATION AND BACKGROUND

Graduate of Baltimore Polytechnic Institute

Completed Real Estate Appraisal Courses I and II,
Johns Hopkins Evening College

Licensed Real Estate Salesman since 1960

Actively engaged in the appraisal and acquisition of
Real Estate since 1963

Actively participated in limited partnerships involving
residential condominium townhouse development,
commercial and office building partnerships as well
as a major size residential large lot development

APPRAISED FOR

Baltimore County Bureau of Land Acquisition

Carroll County Land Acquisition Division

Baltimore County Office of Law

Orphans' Court for Baltimore County

Baltimore Gas and Electric Company

Baltimore County Savings and Loan Association

Baltimore Federal Savings and Loan Association

Federal Savings Bank

Heritage Savings Association

John Hanson Savings Bank

Maryland National Bank

Municipal Savings Bank

Patapsco Federal Savings and Loan Association

Provident Bank of Maryland

Signet Home Loan Corporation

Signet Bank

Yorkridge-Calvert Savings and Loan Association

Maryland State Highway Administration

Wilson T. Ballard and Company, Engineers

Kidde Consultants

Numerous Attorneys, Engineers, Developers and Private
Individuals

TESTIFIED BEFORE

Zoning Commissioner - Baltimore County, Maryland

Board of Zoning Appeals - Baltimore County, Maryland

Assessment Appeals Board - Baltimore County, Maryland

Circuit Court for Baltimore City

Circuit Court for Baltimore County

Circuit Court for Harford County

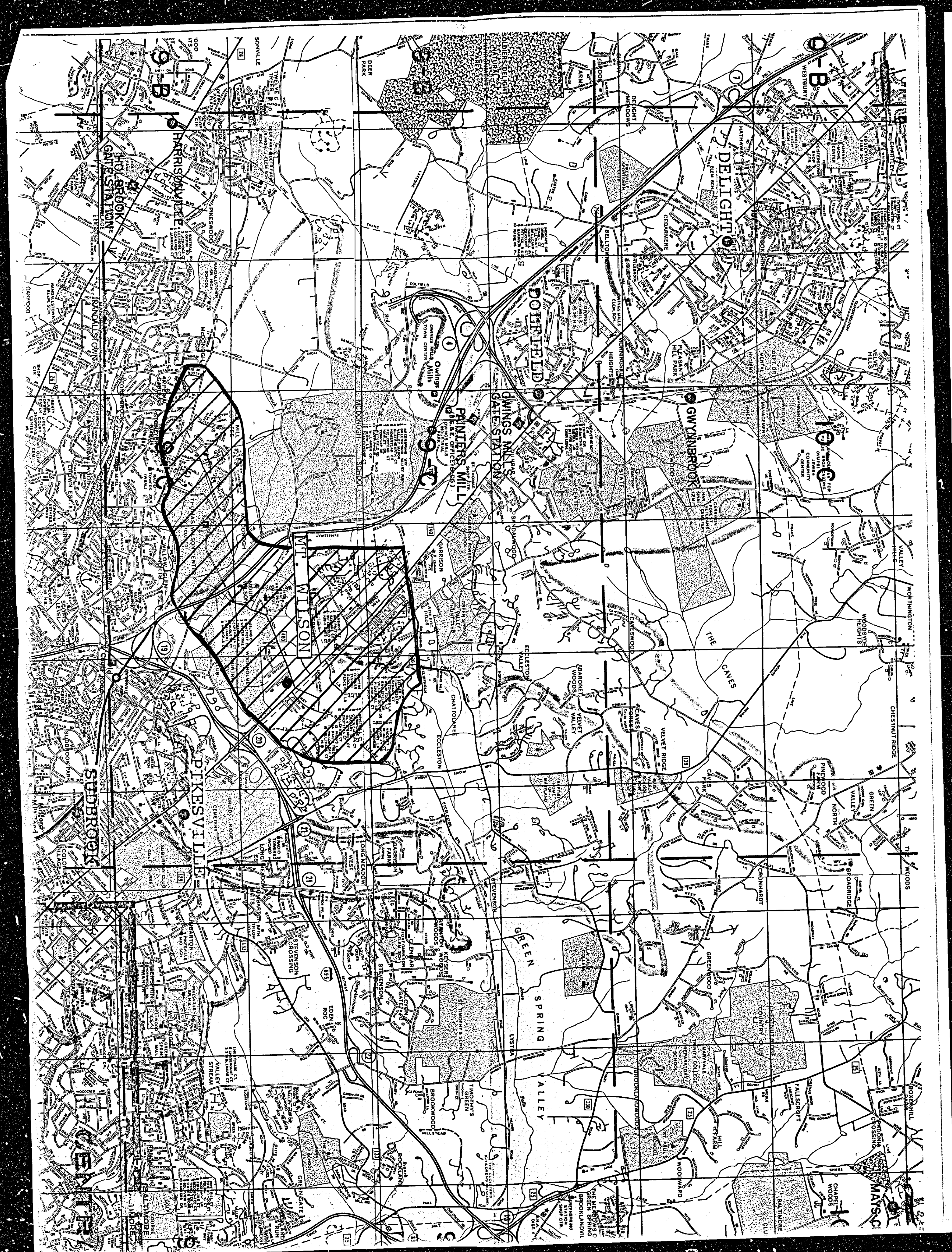
Circuit Court for Howard County

District Court for Baltimore City

Public Service Commission of Maryland

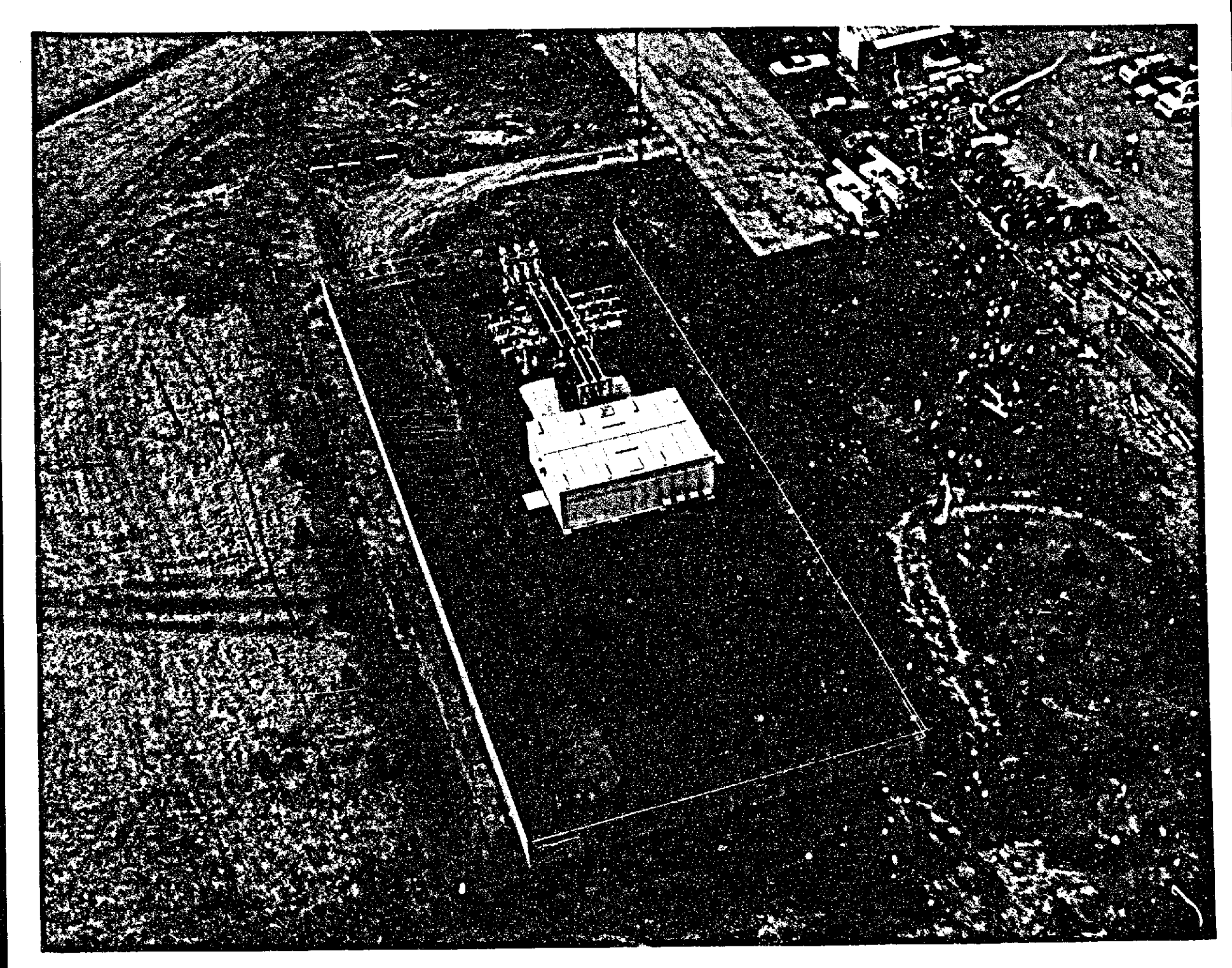
Board of Municipal and Zoning Appeals, Baltimore City,
Maryland

Maryland Tax Court



NAME	ADDRESS
<i>J. B. Howard</i>	<i>Mt. Wilson Lane</i>
<i>J. W. Keltner</i>	<i>B.G.E.</i>
<i>C.T. Gandy Jr.</i>	<i>B.G.E.</i>
<i>Henry Hoffman</i>	<i>B.G.E.</i>
<i>Martha Dillen</i>	<i>B.G.E.</i>
<i>Richard W. Bauer</i>	<i>724 Downy Valley Rd.</i>
<i>Jerome H. Korman</i>	<i>B.G.E.</i>
<i>Emmett Brooks</i>	<i>15 Mt. Wilson Lane</i>
<i>Rob. Brooks</i>	<i>8833 Pikesville Road</i>

NER ISRAEL RABBINICAL COLLEGE
 MOUNT WILSON LANE, BALTIMORE, MD 21206
 OFFICE: 301-484-7900
 FAX: 301-484-7511
 JEROME H. KORMAN
 ASSOCIATE EXECUTIVE DIRECTOR



VENABLE, BAETJER AND HOWARD
 ATTORNEYS AT LAW
 A PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS
 BALTIMORE, MD
 WASHINGTON, D.C.
 McLEAN, VA
 ROCKVILLE, MD
 BEL AIR, MD
 210 ALLEGHENY AVENUE
 P.O. BOX 5517
 TOWSON, MARYLAND 21204-5517
 (301) 823-4111
 FAX (301) 823-0147
 May 29, 1990
 WRITER'S DIRECT NUMBER IS 494-9151

Ann M. Nastarowicz
 Deputy Zoning Commissioner
 1st Floor
 County Office Building
 111 W. Chesapeake Avenue
 Towson, Maryland 21204
 Re: Petitions for Special Exception and Variance
 8/8 Mt. Wilson Lane, 200' NE of Pikesville Road
 (15 Mt. Wilson Lane)
 3rd Election District - 3rd Councilmanic District
 Emmett H. Brooks, Jr., et ux - Petitioners
 Case No. 90-421-XA

Dear Ms. Nastarowicz:
 In compliance with paragraph 4 of the restrictions contained in your Order of April 30, 1990 in the above-captioned matter, I am submitting herewith a plat designating the revised special exception area and a metes and bounds description thereof.
 I trust the enclosed conforms with your request. Please let me know, of course, should you need any further information.
 Thank you very much for your careful consideration of this matter.
 Very truly yours,
J. B. Howard
 John B. Howard

JBH:cns
 Enclosure
 cc: William E. Colburn, Esquire

VENABLE, BAETJER AND HOWARD
 ATTORNEYS AT LAW
 A PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS
 BALTIMORE, MD
 WASHINGTON, D.C.
 McLEAN, VA
 ROCKVILLE, MD
 BEL AIR, MD
 210 ALLEGHENY AVENUE
 P.O. BOX 5517
 TOWSON, MARYLAND 21204-5517
 (301) 823-4111
 FAX (301) 823-0147
 May 1, 1990
 WRITER'S DIRECT NUMBER IS 301-823-4111

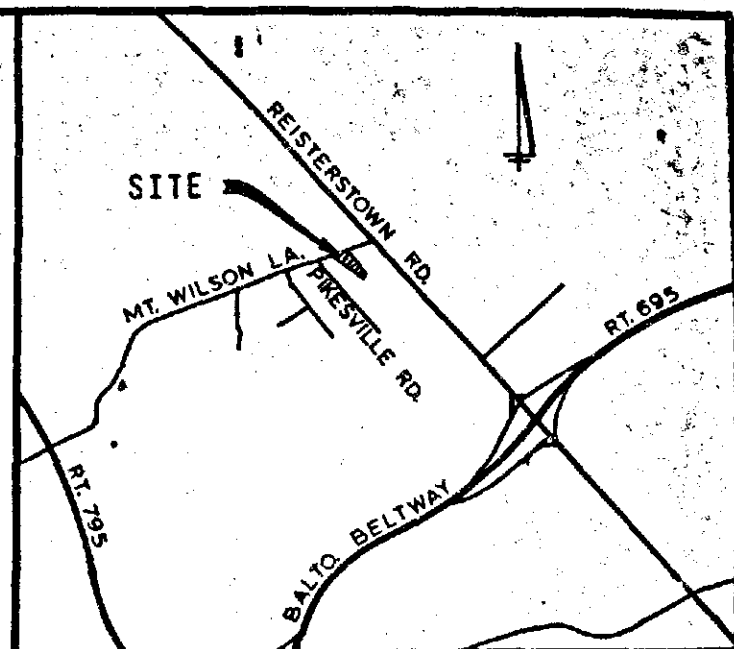
Ann M. Nastarowicz
 Deputy Zoning Commissioner
 111 W. Chesapeake Avenue
 Towson, Maryland 21204
 Re: BG&E - Mt. Wilson Substation
 Case No. 90-421-XA

Dear Ms. Nastarowicz:
 At Rob Hoffman's request, I am enclosing herewith a copy of the Load Center Plat which was to be included in the filing of the above-captioned matter. Should you have any questions, please do not hesitate to contact Rob Hoffman.

Sincerely,
Barbara A. White
 Barbara A. White
 Legal Assistant

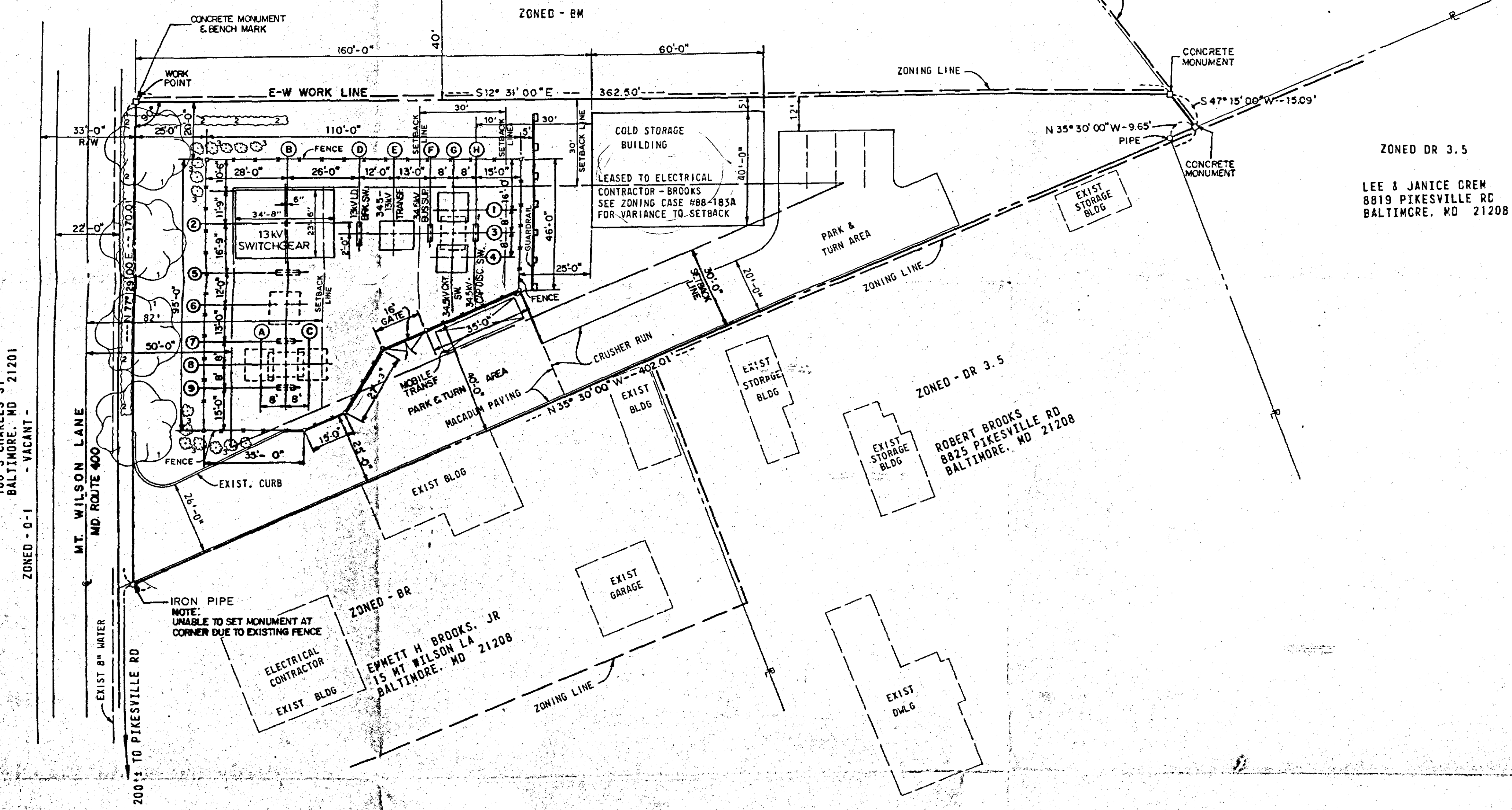
BAW:cns
 Enclosure
 cc: Robert A. Hoffman, Esquire

PLANT LIST		PLANT NAME	SIZE
PLANT NUMBER	# REQ'D/EXISTING		
(1) EXISTING AS SHOWN	4	JUGLANS NIGRA - BLACK WALNUT	APPROX. 12" DIAMETER, BREAST HEIGHT - 30" TALL.
(2) EXISTING AS SHOWN, HEDGE, ROW SCREEN, APPROX. 170' LONG ON NORTH & WEST PROPERTY LINE.		LIGUSTRUM OVALIFOLIUM - CALIFORNIA PRIVET	5' - 6" TALL.
(3) TO BE PLANTED.	15	THUJA OCCIDENTALIS NIGRA-ABORVITAE.	4' - 5' TALL



VICINITY MAP
SCALE: 1" = 2000'

HOPKINS, SAMUEL, ET AL
1111 CHARLES ST
PROPER CHARLES ST
BALTIMORE, MD 21201



J. W. MICKEY (PROP. L.S. #116)
DISTRIBUTION & TRANSMISSION ENGR DEPT
BALTIMORE GAS & ELECTRIC COMPANY

Item #265

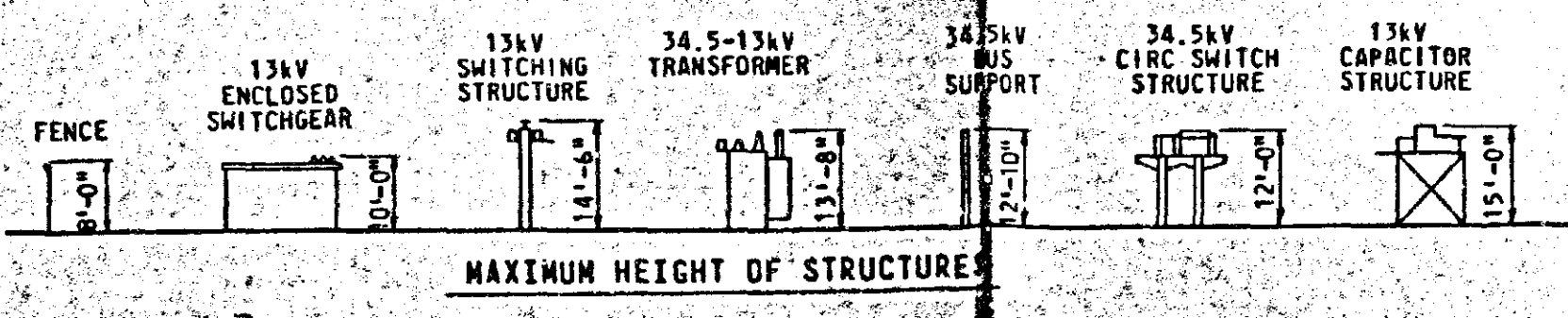
- REQUESTED VARIANCES:**
- SEC 238.2 & SEC 102.2
PERMIT REAR SETBACK FOR SUBSTATION OF 10' IN LIEU OF REQUIRED 30'.
 - SEC. 303.2
PERMIT FRONT YARD SETBACK OF 50' IN LIEU OF REQUIRED 82'.

THIS PROPERTY LOCATED IN
3RD ELECTION DISTRICT
OF BALTIMORE COUNTY, MARYLAND
ZONED - BR
TAX MAP-68 PARCEL-188 GRID-13/19
AREA-0.776 AC
TITLE REFERENCE - 6288/491
TAX ACCOUNT NO - 03 02003442
OWNER - EMMETT H BROOKS & WF
15 MT WILSON LA
BALTIMORE, MD 21208
UNMANNED SUBSTATION

- ZONING HISTORY:**
- CASE NO. 4791-X
PETITION FOR SPECIAL EXCEPTION FOR ELECTRIC SUBSTATION
DATE - 11/18/59
 - CASE NO. 88-27
RECLASSIFICATION FROM BR & DR3.5 TO BR
DATE - 3/2/81
 - CASE NO. 88-183A
VARIANCE FROM SEC 238.2 TO PERMIT REAR YARD SETBACK OF 5' IN LIEU OF REQUIRED 30'
DATE - 11/25/87

PETITIONER'S
311

90-421-XA



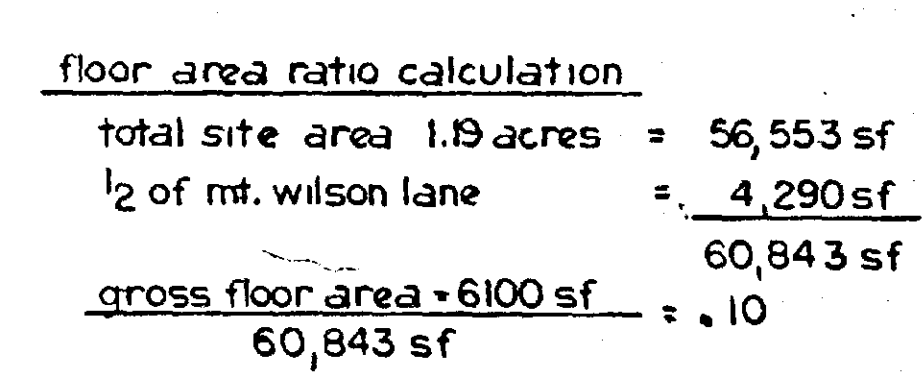
Rev	Date	D.O./Ext. No.	Description	Approved	ENGINEERING	PLAN FOR SPECIAL EXCEPTION, VARIANCE & BUILDING PERMIT WITH LANDSCAPING
1990	11	EC-1022 E59M1400	INSTLN OF 1-20MVA 34.5-13KV TRANSF. 3-13KV FEEDER POS & 2-13KV DISTR FORS (88602, 8861)		Client: <i>[Signature]</i> Proj. Engr: <i>[Signature]</i> Prin. Engr: <i>[Signature]</i> Supr. Engr: <i>[Signature]</i>	34.5-13kV SUBSTATION MT. WILSON
A	2-8-90	EC-1022 E59M1400	REV PER COUNTY COMMENTS		DESIGN GROUP Baltimore Gas & Electric Co. DLT Checked: <i>[Signature]</i> Appr. <i>[Signature]</i> Scale: 1"=20'-0" Orig. <i>[Signature]</i> Rev. <i>[Signature]</i>	BALTIMORE GAS AND ELECTRIC COMPANY DISTRIBUTION & TRANSMISSION ENGR DEPT SYSTEMS ENGINEERING SECTION

#32A

460-A

REVISIONS

SCALE: 1" = 2' DRAWN BY
DATE: 11-29-94
APP. BY:
DRAWING NO.
C-1




1. OWNER: EMMETT H. BROOKS & WIFE
ADDRESS: 13 MT. WILSON LAKE
BALTIMORE, MARYLAND 21208

2. DEED REFERENCE: 6288-491

3. ACCOUNT NUMBERS: 03-02-003442, 03-23-001028

4. EXISTING ZONING: BR

5. APPLICANT: EMMETT H. BROOKS & WIFE
13 MT. WILSON LAKE
BALTIMORE, MARYLAND 21208

6. ENGINEER:  **HOFFMAN and HOFFMAN**
SURVEYOR & LAND PLANNERS
5600 STENNISON AVENUE - BALTIMORE, MARYLAND 21207
304-468-0181

7. ELECTION: DISTRICT 3

8. COUNCILMANIC DISTRICT: 3

9. SITE ACREAGE: 1.19 ACRES

10. COMMON OPEN SPACE: DENSITY CALCULATIONS
REQUIRED: NONE

11. OFFSTREET PARKING REQUIRED: 4 - PROVIDED 13

12. PROPOSED HEIGHT OF BUILDING: 12'

13. LANDSCAPING: AS PER BALTIMORE COUNTY REQUIREMENTS

14. PREVIOUS COMMERCIAL PERMIT: AL99700, CONTROL NR C2386-87
DATED DEC. 1987

15. PREVIOUS ZONING VARIANCE: CASE NR 80-133-A
A (TO PERMIT A REAR YARD SETBACK OF
5' IN LIEU OF THE REQUIRED 30' SETBACK)

16. PROPOSED ZONING VARIANCE: TO ALLOW A CORN STORAGE
B BLDG. OF APPROXIMATELY 1620 S.F. WITH A
REAR SETBACK OF 4' INSTEAD OF THE REQUIRED 15'

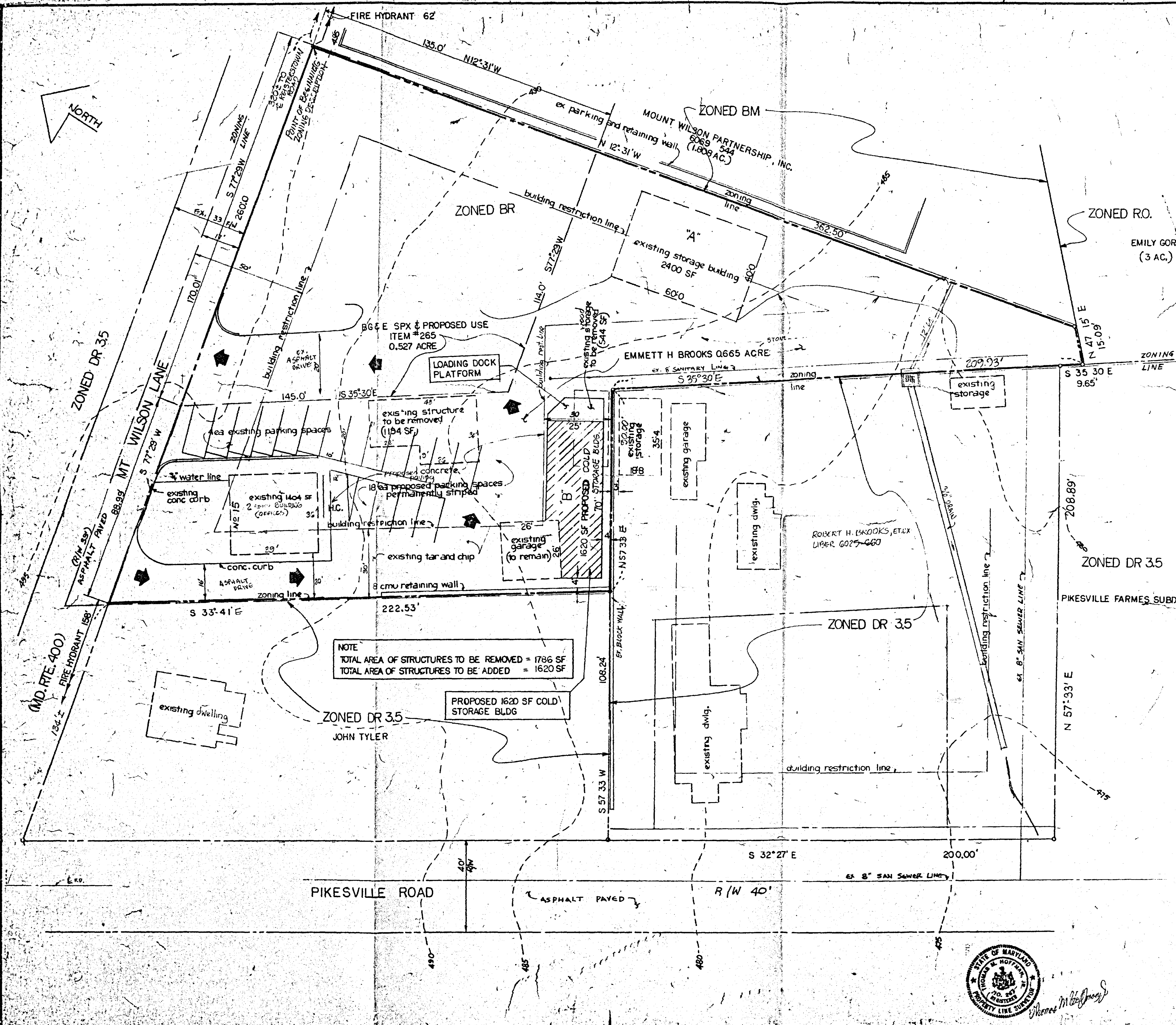
17. ALL EXISTING BUILDINGS ARE TO REMAIN, AND PRESENT USE
(AS INDICATED ON PLAN) IS TO CONTINUE.

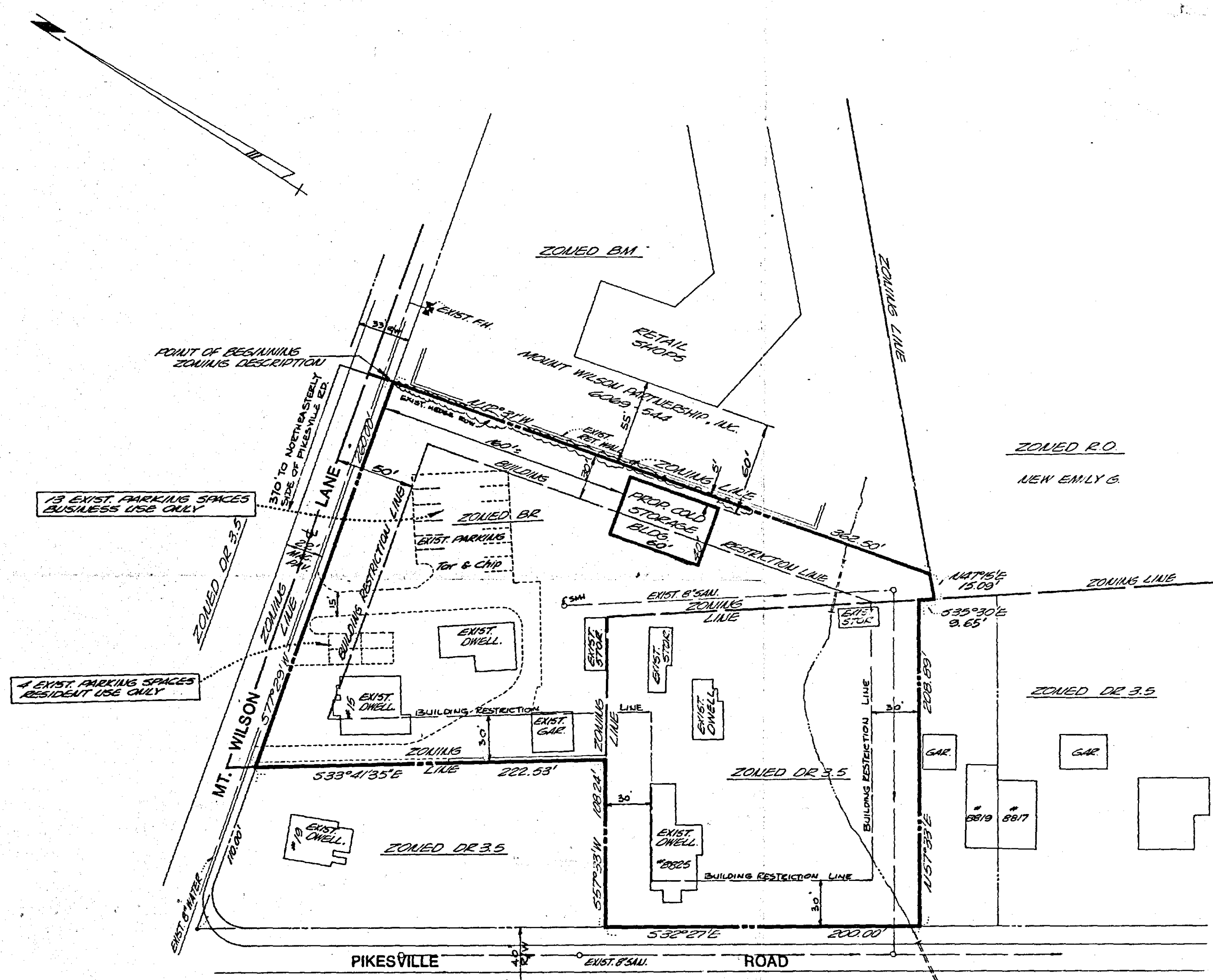
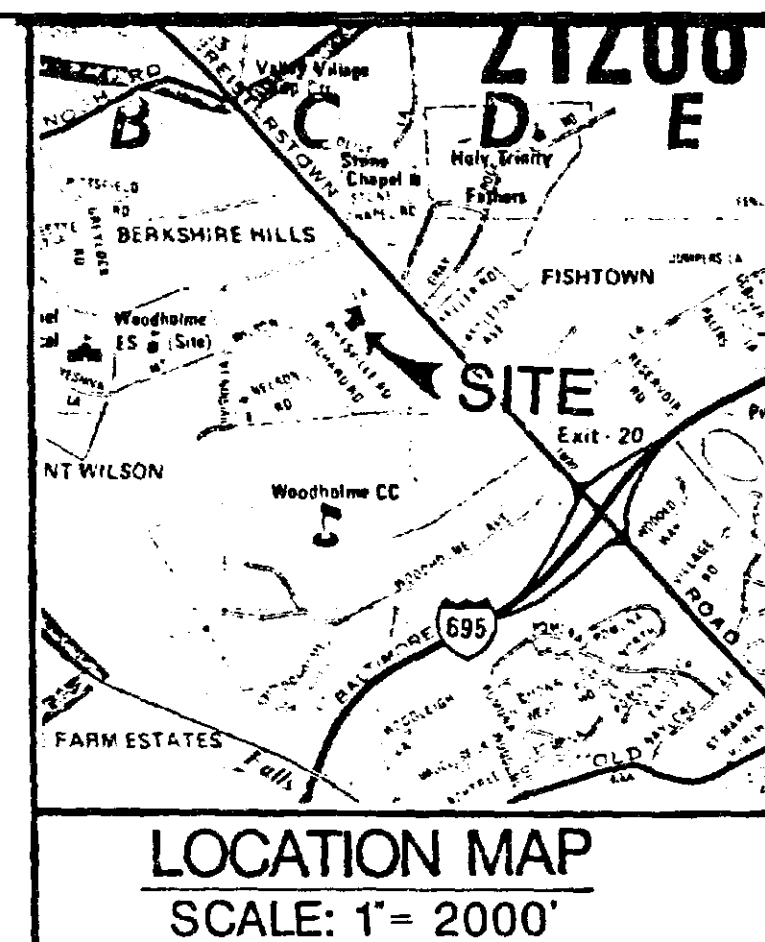
18. NO I.D. SIGNS ARE EXISTING OR PROPOSED ON PROPERTY.

19. NO RETAIL SALES ARE CURRENTLY, OR PROPOSED TO BE,
CONDUCTED FROM THIS PROPERTY.

20. PROPOSED BLDG. TO BE USED FOR STORAGE OF ELECTRICAL
EQUIPMENT.

21. PARKING - 2808 sq ft office = $2.81 \times 3.3 = 10$ SPACES
1000 sq ft
8 YARD EMPLOYEES = 8 SPACES
18 PARKING SPACES REQD / 18 SPACES PROVIDED





PARKING SPACE REQUIREMENTS
 WAREHOUSE, COMMERCIAL USE:
 "1 FOR EACH 3 EMPLOYEES
 IN THE NUMERICALLY LARGEST
 SHIFT"
 NUMBER OF EMPLOYEES - 10
 SPACES REQUIRED - 4
 SPACES PROVIDED - 13

- NOTES**
- OWNER: EMMETT H. BROOKS & WIFE
15 MT. WILSON LANE
BALTIMORE, MARYLAND 21208
 - DEED REFERENCE: 6288-491
 - ACCOUNT NUMBERS: 03-02-003442, 03-23-001028
 - EXISTING ZONING: BR
 - APPLICANT: EMMETT H. BROOKS
15 MT. WILSON LANE
BALTIMORE, MARYLAND 21208
 - ENGINEER: STV/LYON ASSOCIATES, INC.
21 GOVERNORS COURT
BALTIMORE, MARYLAND 21207
PHONE: 944-9112
 - ELECTION: DISTRICT 3
 - COUNCILMANIC DISTRICT: 3
 - SITE ACREAGE: 2.12 ACRES
 - COMMON OPEN SPACE: DENSITY CALCULATIONS
REQUIRED: NONE
 - OFFSTREET PARKING REQUIRED: 4 - PROVIDED 13
 - PROPOSED HEIGHT OF BUILDING: 12'
 - LANDSCAPING: AS PER BALTIMORE COUNTY REQUIREMENTS

ZONING
 EXISTING ZONING: BR AND DR 3.5
 PROPOSED ZONING: SAME WITH A VARIANCE TO ALLOW A METAL BUILDING FOR COLD STORAGE OF APPROXIMATELY 2,400 SF WITH A REAR DISTANCE OF 5' INSTEAD OF THE REQUIRED 30'

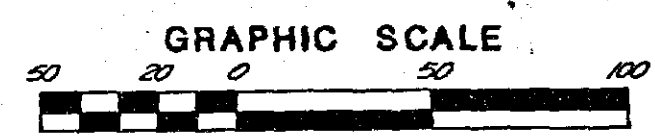
AREA - TOTAL PROPERTY
 2.12 ACRES ±
 (92,502 S.F. ±)
PARTION OF PROPERTY
 ZONED DR 3.5 - APPROX. 40,500 SQ. FT.

Re Honer's Exhibit #30
MICROFILMED



PLAT TO ACCOMPANY PETITION FOR VARIANCE

NOTE:
 ALL EXISTING BUILDINGS ARE TO REMAIN, AND PRESENT USE (AS INDICATED ON PLAN) IS TO CONTINUE.
 NO I.D. SIGNS ARE EXISTING OR PROPOSED ON PROPERTY.
 NO RETAIL SALES ARE CURRENTLY, OR PROPOSED TO BE, CONDUCTED FROM THIS PROPERTY.
 PROPOSED BLDG. TO BE USED FOR STORAGE OF ELECTRICAL EQUIPMENT
 PARKING - 13 (9x19') PARKING SPACES ARE PROVIDED.



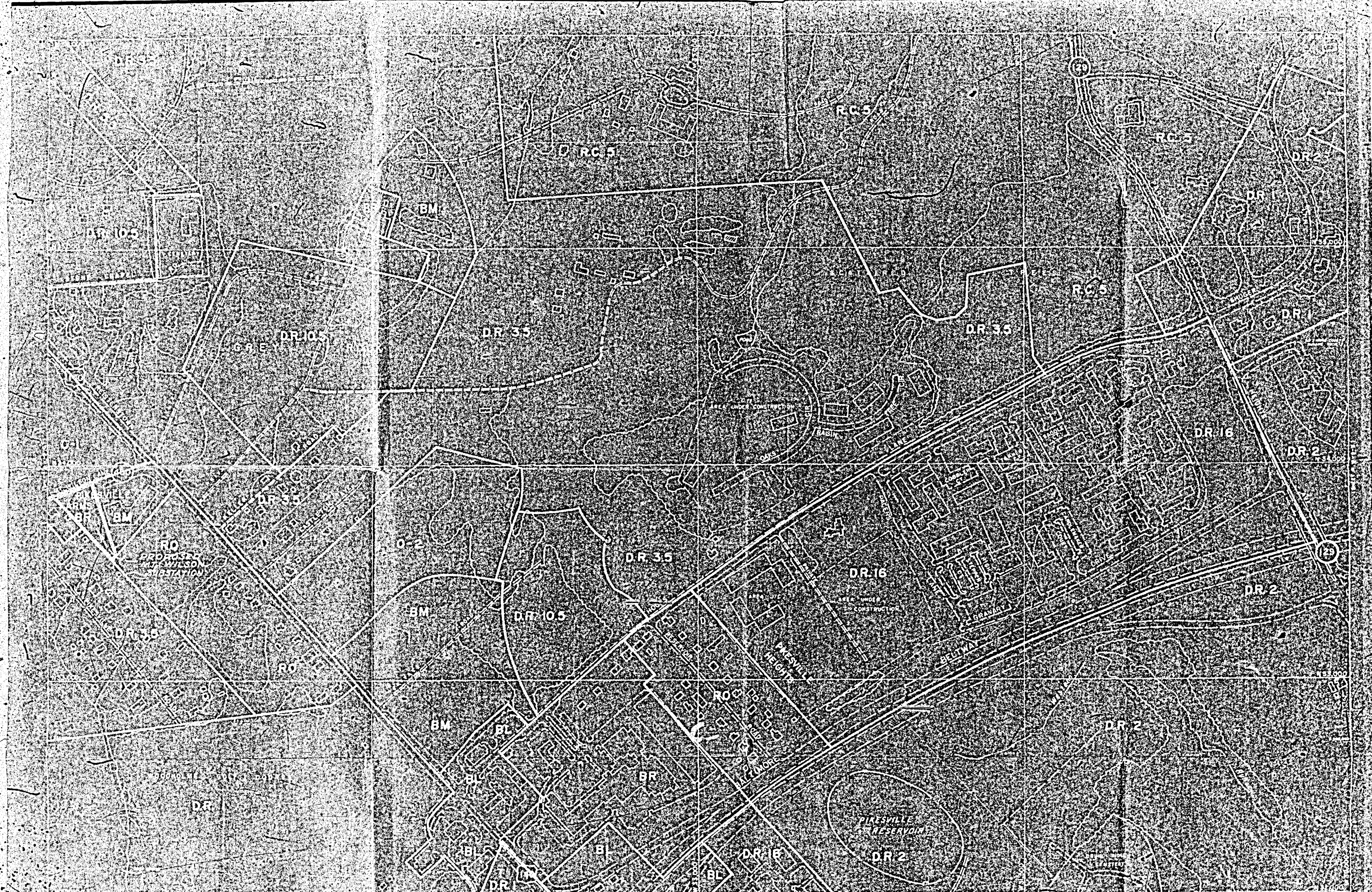
STV/LYON ASSOCIATES.
 ENGINEERS, ARCHITECTS & PLANNERS
 21 GOVERNORS COURT
 BALTIMORE, MD 21207-2722

REV. 7-13-87 - ADDED NOTES
 REV. 3-2-87 BLDG. RESTRICTION LINE 50' FROM CL AND GENERAL REVISIONS

PLAN PREPARATION
 DRAWN BY: K.B.
 CHECKED BY: AKQ
 DATE: 1/30/87
 SCALE: 1" = 50'

PROPOSED METAL STORAGE BLDG.
 15 MT. WILSON LANE 3RD ELECTION DIST.
 BALTIMORE CO. MARYLAND

DRAWING NO.
 7935-59-002
SHEET NO.
 1 of 2



BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
OFFICIAL ZONING MAP

LOCATION	SHEET
PIKESVILLE GREY FORD	265

item #
265
90421XA

Baltimore County Government
Office of Zoning Administration
and Development Management

111 West Chesapeake Avenue
Towson, MD 21204

July 13, 1994 (410) 887-3353

Martha A. Delea, Esquire
Baltimore Gas and Electric
Charles Center
P.O. Box 1475
Baltimore, MD 21203-1475

RE: Mt. Wilson Substation Property
Road Widening
Case Number 90-421-XA
3rd Election District

Dear Ms. Delea:

Reference is made to our meeting last Tuesday, July 5, and your subsequent letter to Arnold Jablon, Director, dated July 7, 1994, which has been referred to me for reply. Essentially all of the points that you covered can be confirmed with some slight changes to the wording for clarity. Simply stated, any development in accordance with the site plan in the zoning case will not be affected by road widening even though the resulting street setbacks would be less than what was granted.

In addition to the zoning determination, and as requested at our meeting, this office needs red-lined public hearings plans indicating the new right-of-way lines. This plan (2 copies) would, at our request, be reviewed by E. Avery Harden, Landscape Coordinator in Public Works, and John J. Dillon, Planner in the Office of Planning and Zoning, both for concurrence with our zoning determination.

The plans should be accompanied by a revised cover/confirmation letter (see attached changes) and a check for \$40.00 made payable to Baltimore County, Maryland.

I trust that the information set forth in this letter is sufficiently detailed and responsive to the request. If you need further information or have any questions, please do not hesitate to contact me at 887-3391 (FAX - 887-5708).

Very truly yours,

W. Carl Richards, Jr.
W. Carl Richards, Jr.
Zoning Supervisor

MCR:scj

cc: E. Avery Harden
John J. Dillon

Printed with Soy-based Ink
on Recycled Paper



CHARLES CENTER • P.O. BOX 1475 • BALTIMORE, MARYLAND 21203-1475

MARTHA A. DELEA
ATTORNEY
(410) 234-5887

July 7, 1994

RECEIVED
JUL 11 1994
ZADM

Arnold Jablon, Director
Office of Zoning Administration
and Development Management
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: *Road Widening*
Mt. Wilson Substation Property
Case 90-421-XA
3rd Election District

Dear Mr. Jablon:

Baltimore Gas and Electric Company (BGE) owns a 0.776 acre parcel of land on the south side of Mt. Wilson Lane, near Reisterstown Road. The property is currently being used for an outdoor electric substation. The existing substation facilities were installed pursuant to Zoning Special Exception Number 90-421-XA, which Order was issued on April 30, 1990 (the "BGE Order"). The BGE Order also provides for the installation of future facilities as shown on the plat that accompanied the Petition. Enclosed herewith are copies of the BGE Order and the final plat which was modified per the BGE Order.

Recently, Sol Levinson Brothers, Inc. ("Levinson"), the contract purchaser of a parcel of land on the north side of Mt. Wilson Lane, filed an Application for a Zoning Special Exception to allow its use of the property for a funeral establishment. An Order was issued on May 23, 1994 (the "Levinson Order") authorizing this use subject to certain conditions. Condition number 3 reads as follows:

"3) The Petitioner shall be required to perform the necessary improvements to Mt. Wilson Lane, on both the north and south sides thereof, which could involve the widening of Mt. Wilson Lane along the BGE property as depicted on Petitioner's Exhibit 1."

Arnold Jablon
August 26, 1994
Page 2

The language in condition 3 was subsequently clarified by the Hearing Examiner in his letter to Robert A. Hoffman, Esq. dated June 22, 1994. Enclosed herewith are copies of the Levinson Order and the letter to Mr. Hoffman dated June 22, 1994.

Mt. Wilson Partnership, Inc., the owner of the shopping center located on the south side of Mt. Wilson Lane, to the east of BGE's property, filed an Appeal objecting to the Levinson Order. As a condition of dismissing its appeal, the shopping center owner has demanded that a turn lane be installed on the south side of Mt. Wilson Lane.

Levinson has determined that, in order to satisfy the Hearing Examiner's requirement concerning road work, it would be more cost effective to construct only minor road improvements on the north side of Mt. Wilson Lane and to widen the road on the south side.

For the reasons set forth above, both Levinson and the shopping center owner have requested that BGE convey a portion of its substation property to Levinson for highway widening purposes.

BGE is willing to make such a conveyance as long as the zoning status of its existing and future facilities, as shown on its approved Special Exception plat, will not be adversely affected by this conveyance.

Representatives from BGE have spoken with Carl Richards and Kate Milton concerning this matter. Mr. Richards advised us as follows:

1. This conveyance would be within the spirit and intent of the zoning regulations and the BGE Order.
2. The existing facilities will not, by reason of the conveyance, be considered "non-conforming". The setback will be technically non-conforming, but all improvements made in accordance with the Special Exception plat will not violate the zoning regulations or the BGE Order.

Arnold Jablon
July 7, 1994
Page 2

The language in Condition 3 was subsequently clarified by the Hearing Examiner in his letter to Robert A. Hoffman, Esq. dated June 22, 1994. Enclosed herewith are copies of the Levinson Order and the letter to Mr. Hoffman dated June 22, 1994.

Mt. Wilson Office Center Limited Partnership, the owner of the shopping center located on the south side of Mt. Wilson Lane, to the east of BGE's property, filed an appeal objecting to the Levinson Order. As a condition of withdrawing its appeal, the shopping center owner has demanded that a turn lane be installed on the south side of Mt. Wilson Lane.

Levinson has determined that, in order to satisfy the Hearing Examiner's requirement concerning road work, it would be more cost effective to construct only minor road improvements on the north side of Mt. Wilson Lane and to widen the road on the south side.

For the reasons set forth above, both Levinson and the shopping center owner have requested that BGE convey a portion of its substation property to the County for highway widening purposes.

BGE is willing to make such a conveyance as long as the zoning status of its existing and future facilities, as shown on its approved Special Exception plat, will not be adversely affected by this conveyance.

Representatives from BGE have spoken with Carl Richards and Kate Milton concerning this matter. Mr. Richards advised us as follows:

1. This conveyance would be within the spirit and intent of the zoning regulations and the BGE Order.
2. The existing facilities will not, by reason of the conveyance, be considered "non-conforming". *The setback will be technically non-conforming, but all improvements made in accordance with the Special Exception plat will not violate the zoning regulations or the BGE Order.*
3. The installation of the future facilities in the locations shown therefor on the approved Special Exception plat will not require any hearings or front setback variances *beyond the additional*

Arnold Jablon
August 26, 1994
Page 3

3. The installation of the future facilities in the locations shown therefor on the approved Special Exception plat will not require any additional hearings or front setback variances (beyond the hearing already held and the front setback variance already granted).
4. The conveyance will not have any other adverse impact upon the zoning status of the existing and future facilities shown on the approved Special Exception plat.
5. The advice set forth in Items 1 through 4 above applies regardless of whether the road widening causes the centerline of Mt. Wilson Lane to move southward, as long as BGE does not build any future facilities northward of the locations shown therefor on the approved Special Exception plat.

Please confirm that Mr. Richards' advice is correct by countersigning the enclosed copy of this letter in the space provided below.

Very truly yours,

Martha A. Delea

Martha A. Delea

Enclosures

W. Carl Richards, Jr.
Arnold Jablon, Director
Date 8/31/94

Arnold Jablon
July 7, 1994
Page 3

hearing already held and the front setback variance already granted.

4. The conveyance will not have any other adverse impact upon the zoning status of the existing and future facilities shown on the approved Special Exception plat.
5. The advice set forth in Items 1 through 4 above applies regardless of whether the road widening causes the centerline of Mt. Wilson Lane to move southward, as long as BGE does not build any future facilities northward of the locations shown therefor on the approved Special Exception plat.

Please confirm that Mr. Richards' advice is correct by countersigning the enclosed copy of this letter in the space provided below.

Very truly yours,

Martha A. Delea

Martha A. Delea

Enclosures

Arnold Jablon, Director

Date

07/05/94 16:27 4104946200

VENABLE BAH

Q002

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

Suite 113 Courthouse
400 Washington Avenue
Towson, MD 21204

Jur # 22, 1994

(410) 887-4386

Robert A. Hoffman, Esquire
Venable, Baetjer & Howard
210 Allegheny Avenue
Towson, Maryland 21204

RE: PETITIONS FOR SPECIAL EXCEPTION AND VARIANCE
NW/Cor. Reisterstown Road and Mt. Wilson Lane
3rd Election District - 3rd Councilmanic District
Mt. Wilson Office Center Limited Partnership - Petitioners
Case No. 94-384-XA

Dear Mr. Hoffman:

I am in receipt of your letter dated June 6, 1994 concerning the Order issued May 23, 1994 in the above-captioned matter. Specifically, you have requested a clarification of Restriction No. 3 thereof as to the required improvements to Mt. Wilson Lane and the specific locations of same, and clarification of the Order with respect to the use of the property on Saturdays.

In consideration of the comments contained in your letter, I have reviewed the Order issued May 23, 1994 and offer the following comments. The Petitioner shall be required to perform the necessary improvements on the north side of Mt. Wilson Lane along their property line as shown on Petitioner's Exhibit 1. This does not preclude or require the Petitioners improve Mt. Wilson Lane on the south side, including a portion of the property bordering B G & E's property line.

As to the use of the property on Saturdays, testimony indicated that there would be no funerals or church services taking place on Saturdays. While the Order states that there would be no "activity" taking place on Saturdays, it is understood that this does not preclude the Petitioners' employees from performing their duties on the site which are pertinent to the use of the property on regular business days.

I hope the above clarifies the intent of the Order issued in this matter. Should you have any further questions on the subject, please do not hesitate to contact me.

Very truly yours,
Timothy H. Kotroo

TIMOTHY H. KOTROO
Deputy Zoning Commissioner
for Baltimore County

THK:bjb

Findings of Fact and Conclusions of Law

The Petitioner, The Baltimore Gas & Electric Company ("BG&E"), Contract Purchaser, by Charles T. Lacey, Jr., Project Engineer, and Herman William Koletschke, Electrical Planner, appeared and were represented by John B. Howard, Esquire and Martha A. Delea, Esquire. Also appearing on behalf of the Petitioners was Bernard Semon, a Professional Real Estate Appraiser. Emmett Brooks, legal owner of the property and Rabbi Jerome Kadin of Ner Israel Rabbinical College appeared as interested parties. There were no protestants.

ORDER RECEIVED FOR FILING

Pursuant to the advertisement, posting of the property and public hearing these petitions held, and for the reasons given above, the special exception and variances requested should be granted.

ORDER RECEIVED FOR FILING

ORDER RECEIVED FOR FILING

The proposed project will be limited to an unmanned, outdoor electric public utilities service center (substation) and will require limited maintenance. Messrs. Lacey's and Semon's testimony indicated that the granting of a special exception will not conflict with any of the requirements of Section 502.1 BC2R and that the requirements of Section 411 will be met. Mr. Semon then testified that there would be no adverse effect upon the surrounding property values. Photographs of the surrounding area and the proposed location were submitted in support of Petitioner's testimony.

ORDER RECEIVED FOR FILING

4. Prior to the issuance of building permits or 30 days from the date of this Order, whichever is sooner, a new plat shall be submitted which shows a revised special exception area, the southeast boundary of which shall clearly separate the existing utility substation use from the cold storage building and accompanying relocated parking. A new set of boundaries and description of the special exception area shall accompany the revised site plan. Said plan shall be submitted for review and approval by the Deputy Zoning Commissioner.

Ann M. Nastarowicz
Deputy Zoning Commissioner for
Baltimore County

The Petitioner has the burden of adducing testimony and evidence which would show that the proposed use meets the prescribed standards and requirements set forth in Section 502.1 of the BCZR. The Petitioner has shown the proposed use would be conducted without real detriment to the neighborhood and would not adversely affect the public interest. The facts and circumstances do not show that the proposed use at the particular location described by Petitioner's Exhibit No. 1 would have any adverse impact above and beyond that inherently associated with such a special exception use irrespective of its location within the zone Schultz v. Pritts, 291 Md. 1, 432 A.2d 1319 (1981).

ORDER RECEIVED, FOR FILING

April 30, 1990

RE: PETITIONS FOR SPECIAL EXCEPTION AND VARIANCE
S/S Mt. Wilson Lane, 200' NE of Pikesville Road
(15 Mt. Wilson Lane)
3rd Election District - 3rd Councilmanic District
Emmett H. Brooks, Jr., et ux - Petitioners
Case No. 90-421-XA

Dear Mr. Howard:

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact Ms. Charlotte Radcliffe at 887-3391.

Very truly yours,

ANN M. NASTAROWICZ
Deputy Zoning Commissioner
for Baltimore County

AMN:bjs

cc: People's Counsel

File

1. Whether strict compliance with the requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
2. Whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and
3. Whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

It is clear from the testimony that if the variance is granted such uses proposed would not be contrary to the spirit of the BCZR and would not result in substantial detriment to the public health, safety and general welfare.

ORDER RECEIVED FOR FILING

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

Property is to be posted and advertised as prescribed by Zoning Regulations.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Legal Owner(s):

Emmett H. Brooks, Jr.
(Type or Print Name)
Emmett H. Brooks
Signature 10

Signature
Leola M. Brooks

(Type or Print Name)
Leslie P. ...

Signature

Attorney for Petitioner:

John B. Howard, Esquire
(Type or Print Name)

Signature
210 Allegheny Avenue
Address
Towson, MD 21204

City and State _____

Attorney's Telephone No.: 824-4111

15 Mt. Wilson Lane-----

Address
Pikesville, MD 21208

City and State

Name, address and phone number of legal owner, contract purchaser or representative to be contacted
William E. Colburn, Esquire

Name
Baltimore Gas and Electric Company
P. O. Box 1475, Baltimore, MD 21203 - 234-566
Phone No.

required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Board of Baltimore County, at the County Administration Center, 100 South E. Baltimore Avenue, Baltimore, Maryland, on the 11th day of May, 1977, at 10:00 A.M.

County, on the 25 day of April, 1990, at 9:30 o'clock

A.M.

lover

INTER-OFFICE CORRESPONDENCE

DATE: August 8, 1994

SUBJECT: Mt. Wilson Substation Property
Road Widening
Case No. 90-421 XA
3rd Election District

ST:bjs

c: Robert Hoffman, Esq.
Venable, Baetjer & Howard
210 Allegheny Avenue
Towson MD 21204
Avery Harden, DPW

MTWILSON.MMO/PZONE/TXTJJD

BALTIMORE COUNTY, MARYLAND

OFFICE OF FINANCE - REVENUE DIVISION

MISCELLANEOUS CASH RECEIPT

No. 150430

DATE 8/30/94 ACCOUNT 001-6150

AMOUNT \$ 40.00 (WCR)

RECEIVED FROM: Venable, Baetjer & Howard

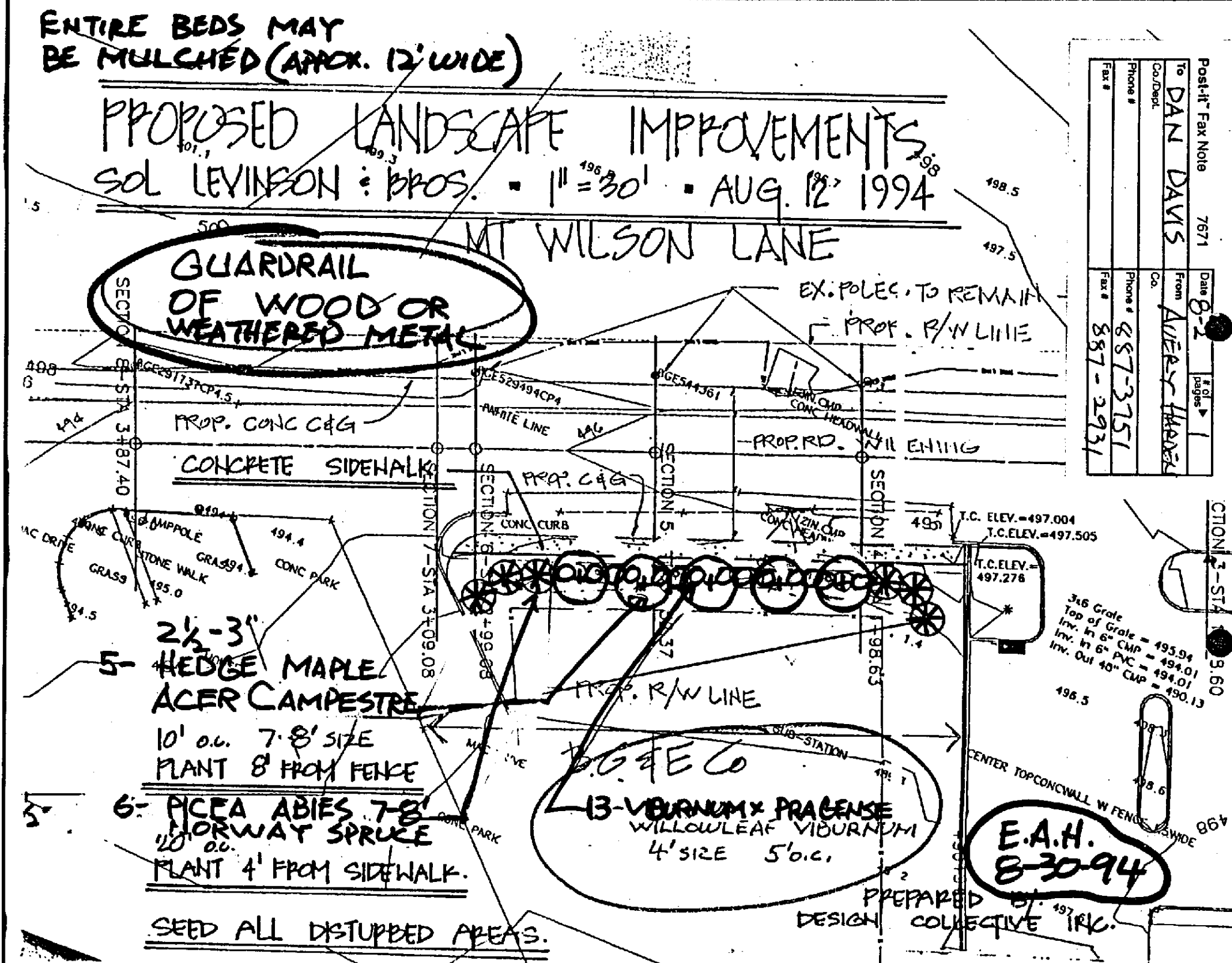
#710 - VERIFICATION
Mt. Wilson Substation

FOR: #00-421-XX

01A01#0090MICRRE \$40.00

VALIDATION OR SIGNATURE OF CASHIER

DISTRIBUTION
WHITE - CASHIER PUR - AGENCY YELLOW - CUSTOMER



07/05/94 14:59 4i04946200

VENABLE B&H

002

IN RE: PETITIONS FOR SPECIAL EXCEPTION * BEFORE THE
AND VARIANCE - NW/Cor. Reisterstown
Road and Mt. Wilson Lane * DEPUTY ZONING COMMISSIONER
3rd Election District
3rd Councilmanic District * OF BALTIMORE COUNTY

Mt. Wilson Office Center * Case No. 94-384-XA
Limited Partnership -
Petitioners *

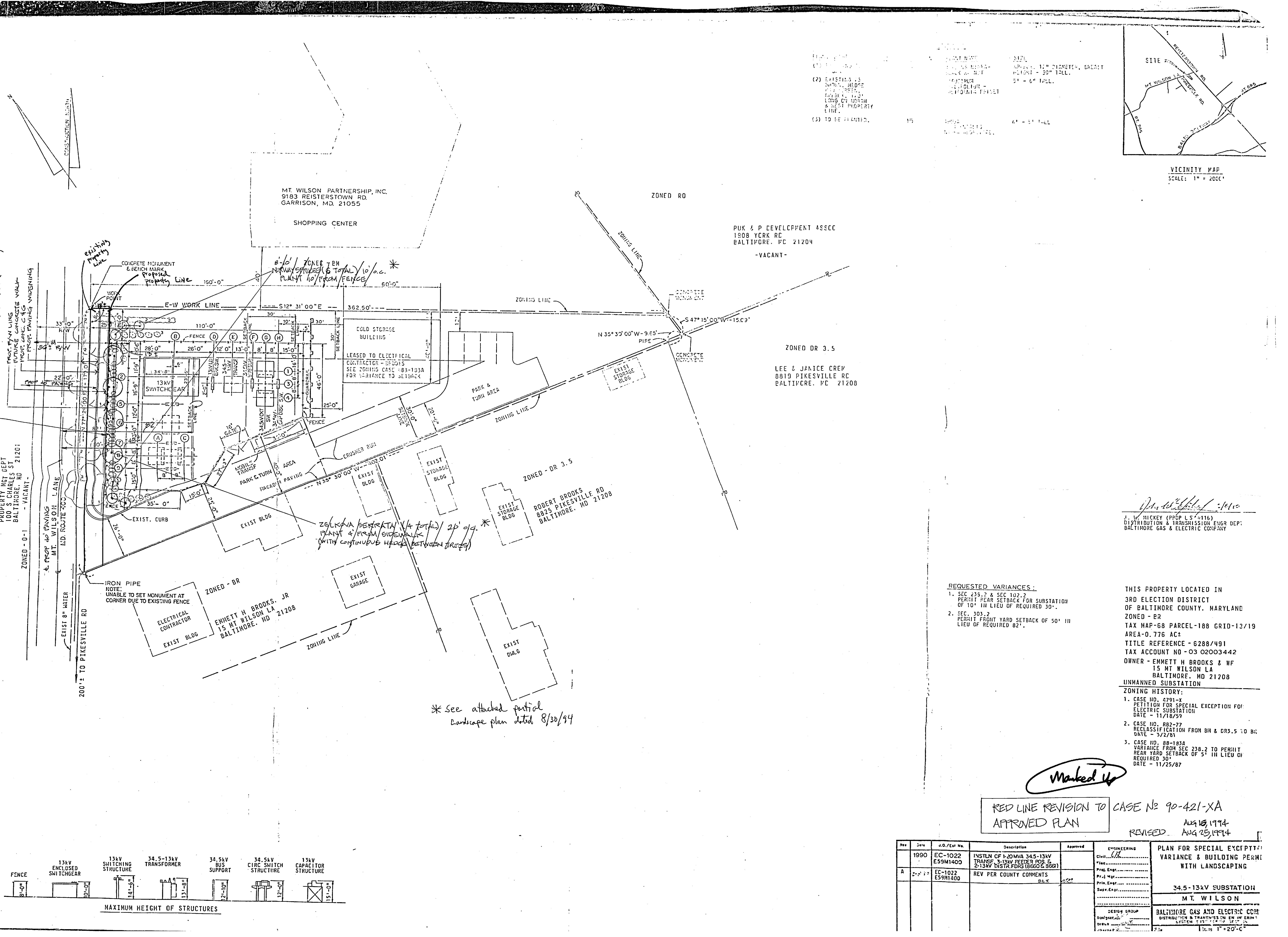
FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Special Exception and Variance for the subject property located at the corner of Reisterstown Road and Mt. Wilson Lane in the Pikesville area of northwestern Baltimore County. The Petition was filed by the owners of the property, Mt. Wilson Office Center Limited Partnership, by Columbia Realty, Inc., a General Partner, through Robert R. Moxley, President, and the Contract Purchaser, Sol Levinson Brothers, Inc., by Irvin B. Levinson, Vice President. The Petitioners seek a special exception to permit a funeral establishment on the subject property, pursuant to Sections 204.3.B.1 and 1801.1.C.8, and variance relief from Section 413.1.A of the B.C.Z.R. to permit an illuminated sign of 50 sq.ft. in lieu of the maximum permitted 1 sq.ft. The subject property and relief sought are more particularly described on Petitioner's Exhibit 1.

Appearing on behalf of the Petitions were Irvin, Ira, Burton and Stanley Levinson for Sol Levinson Brothers, Inc., Contract Purchaser, George Frizzell, Real Estate Appraiser, Wes Guckert, Traffic Engineering expert with The Traffic Group, Rabbi H. N. Neuberger, Edward Haladay, Architect, and others. The Petitioners were represented by Robert A. Hoffman, Esquire. Appearing as Protestants in the matter were numerous residents of the surrounding community, including Kenneth Sidle, Lillian

ORIGINAL FILED

Date:



- EXISTING
- (1) EXISTING
 - (2) EXISTING
 - (3) TO BE PLANTED

EXISTING

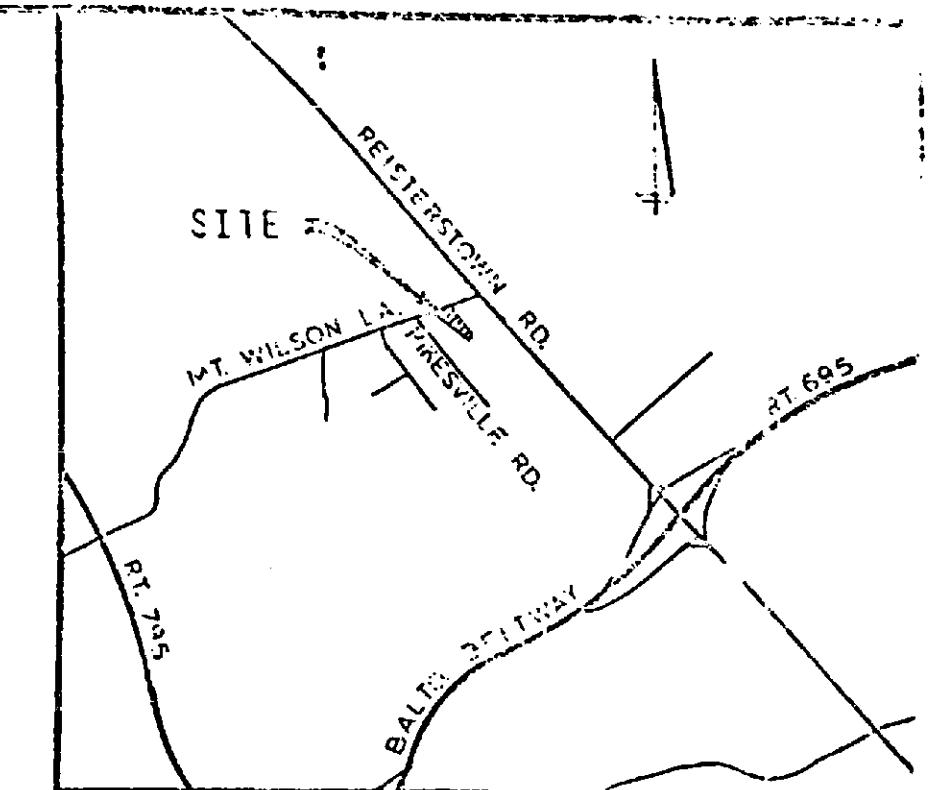
EXISTING

EXISTING

EXISTING

EXISTING

EXISTING



VICINITY MAP

SCALE: 1" = 200'

MT. WILSON PARTNERSHIP, INC.
9183 REISTERSTOWN RD.
GARRISON, MD. 21055

SHOPPING CENTER

ZONED RO

PUK & P DEVELOPMENT ASSOC
1908 YORK RD
BALTIMORE, MD 21204

-VACANT-

ZONED DR 3.5

LEE & JANICE CREW
8819 PIKESVILLE RD
BALTIMORE, MD 21208

ZONED - DR 3.5

ROBERT BROOKS
8825 PIKESVILLE RD
BALTIMORE, MD 21208

ZONED - BR

EMMETT H. BROOKS, JR.
15 MT WILSON LA
BALTIMORE, MD 21208

* See attached partial
Landscape plan dated 8/30/94

- REQUESTED VARIANCES:
- 1. SEC 235.2 & SEC 102.2
PERMIT REAR SETBACK FOR SUBSTATION
OF 10' IN LIEU OF REQUIRED 30'.
 - 2. SEC. 303.2
PERMIT FRONT YARD SETBACK OF 50' IN
LIEU OF REQUIRED 82'.

THIS PROPERTY LOCATED IN
3RD ELECTION DISTRICT
OF BALTIMORE COUNTY, MARYLAND
ZONED - BR
TAX MAP-68 PARCEL-188 GRID-13/19
AREA-0.776 AC±
TITLE REFERENCE - 6288/491
TAX ACCOUNT NO - 03 02003442
OWNER - EMMETT H. BROOKS & WF
15 MT WILSON LA
BALTIMORE, MD 21208
UNMANNED SUBSTATION

- ZONING HISTORY:
- 1. CASE NO. 4791-X
PETITION FOR SPECIAL EXCEPTION FOR
ELECTRIC SUBSTATION
DATE - 11/18/89
 - 2. CASE NO. 882-77
RECLASSIFICATION FROM BR & DR 3.5 TO BR
DATE - 3/2/81
 - 3. CASE NO. 88-183A
VARIANCE FROM SEC 238.2 TO PERMIT
REAR YARD SETBACK OF 5' IN LIEU OF
REQUIRED 30'
DATE - 11/25/87

RED LINE REVISION TO CASE N2 90-421-XA
APPROVED PLAN

REVISED AUG 18, 1994
AUG 23, 1994

Rev	Date	J.O./Est No.	Description	Approved	ENGINEERING	PLAN FOR SPECIAL EXCEPTION VARIANCE & BUILDING PERMIT WITH LANDSCAPING
1990	EC-1022 E59M1400	INSTLN OF 1-20MVA 34.5-13KV TRANSF 3-13KV FEEDER POS. 6 2-13KV DISTR. FORS (8660 & 8661)			Civil..... Elec..... Mech..... Plumbing..... Struct..... Thermal..... Transportation..... Water..... Waste..... Other.....	34.5-13KV SUBSTATION MT. WILSON
A	2-2-94 EC-1022 E59M1400	REV PER COUNTY COMMENTS			DESIGN GROUP Baltimore Gas and Electric Co. Distribution & Transmission Engineering System, 11111 12th St., Baltimore, MD 21202	BALTIMORE GAS AND ELECTRIC CO. DISTRIBUTION & TRANSMISSION ENGINEERING SYSTEM, 11111 12th St., Baltimore, MD 21202

PROPERTY MGT. DEPT.
100 S CHARLES ST
BALTIMORE, MD 21201

ZONED - Q-1

MT WILSON LANE

MD ROUTE 400

200' TO PIKESVILLE RD

ELECTRICAL CONTRACTOR
EXIST. BLDG

ERNEST H. BROOKS, JR.
15 MT WILSON LA
BALTIMORE, MD 21208

MT. WILSON PARTNERSHIP, INC.
9183 REISTERSTOWN RD.
GARRISON, MD. 21055

SHOPPING CENTER

ZONED - EM

COLD STORAGE BUILDING
LEASED TO ELECTRICAL
CONTRACTOR - BROOKS
SEE ZONING CASE #88-183A
FOR VARIANCE TO SETBACK

PARK & TURN AREA

ZONED - DR 3.5

ROBERT BROOKS
8825 PIKESVILLE RD
BALTIMORE, MD 21208

ZONED RO

PUK & P DEVELOPMENT ASSOC
1908 YCRK RD
BALTIMORE, MD 21204

-VACANT-

ZONED DR 3.5

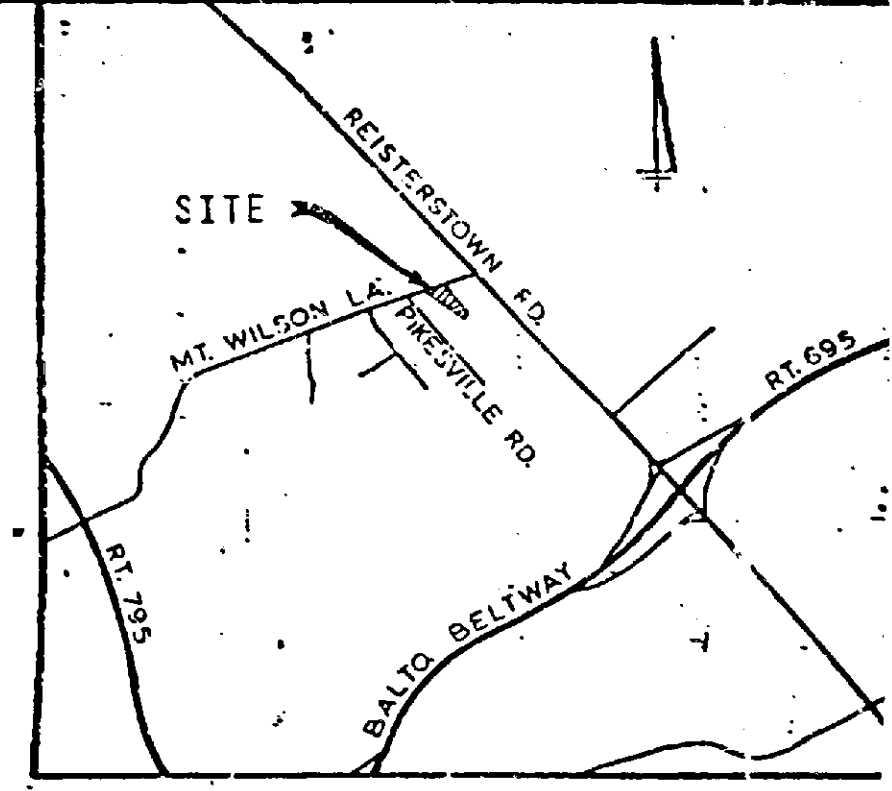
LEE & JANICE CREM
8819 PIKESVILLE RD
BALTIMORE, MD 21208

PLANT NUMBER
(1) EXISTING AS SHOWN
(2) EXISTING AS SHOWN, HEDGE ROW SCREEN, APPROX. 170' LONG ON NORTH & WEST PROPERTY LINE.
(3) TO BE PLANTED.

REQ'D/EXISTING
4
30

PLANT LIST
JUGLANS NIGRA - BLACK WALNUT
LIGUSTRUM OVALIFOLIUM - CALIFORNIA PRIVET
THUJA OCCIDENTALIS NIGRA-ABORVITAE

SIZE:
APPROX. 12" DIAMETER, BREAST HEIGHT - 30" TALL.
5' - 5" TALL.
4' - 5' TALL



VICINITY MAP
SCALE: 1" = 2000'



J. W. MICKEY (PROP. L.S.#112)
DISTRIBUTION & TRANSMISSION ENGR DEPT.
BALTIMORE GAS & ELECTRIC COMPANY

ZONING HISTORY:

- CASE NO. 4791-X
PETITION FOR SPECIAL EXCEPTION FOR
ELECTRIC SUBSTATION
DATE - 11/18/59
- CASE NO. 882-77
RECLASSIFICATION FROM DR & DR3.5 TO BR
DATE - 3/2/81
- CASE NO. 88-1832
VARIANCE FROM SEC 238.2 TO PERMIT
REAR YARD SETBACK OF 5' IN LIEU OF
REQUIRED 30'
DATE - 11/25/87
- CASE NO. 90-421-12
SEC 233.2 & SEC 102.2
PERMIT REAR SETBACK AND SUBSTATION
OF 10' IN LIEU OF REQUIRED 30'
PERMIT FRONT YARD SETBACK OF 50' IN
LIEU OF REQUIRED 92'
DATE - 4/30/90

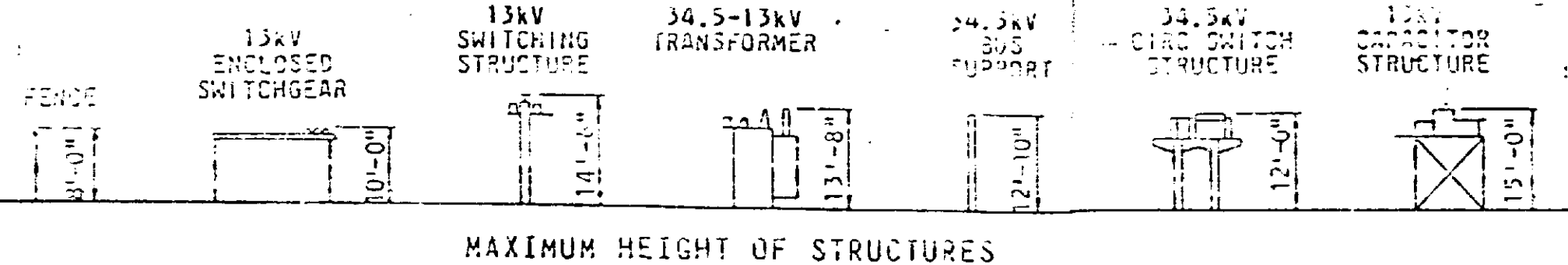
THIS PROPERTY LOCATED IN
3RD ELECTION DISTRICT
OF BALTIMORE COUNTY, MARYLAND
ZONED - BR
TAX MAP-59 PARCEL-188 GRID-10/19
AREA-0.175 AC
TITLE REFERENCE - 5282/491
TAX ACCOUNT NO - 00 02003442
OWNER - ERNEST H. BROOKS & JF
15 MT WILSON LA
BALTIMORE, MD 21208
UNMANNED SUBSTATION

ORIG

SHEET 1 OF 2

Rev	Date	Description	By	Checked	Engineer	Plan for Special Except
1	11/18/59	INSTN OF F-3000 SUBSTATION TRANS. 34.5KV 213KV DIST. FDRS (8600 & 3600)				VARIANCE BUILDING PER WITH LANDSCAPING
2	3/2/81	REV PER COUNTY COMMENTS				
3	11/25/87	ADD LANDSCAPING				34.5-10KV SUBSTATION

34.5-10KV SUBSTATION	MT WILSON
BALTIMORE GAS AND ELECTRIC CO	DISTRIBUTION & TRANSMISSION ENGINEER
DATE: 4/30/90	BY: J. W. MICKEY



cc: Mr. & Mrs. Brooks
William E. Colburn, Esq./Baltimore Gas & Electric Company
John B. Howard, Esq.
File

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3353

J. Robert Haines
Zoning Commissioner

April 16, 1990

John D. Howard, Esquire
210 Allegheny Avenue
Towson, MD 21204

RE: Item No. 265, Case No. 90-421-XA
Petitioner: Emmett H. Brooks, Jr.
Petition for Special Exception and
Variance

Dear Mr. Howard:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

IT WOULD BE APPRECIATED IF YOU WOULD RETURN YOUR WRITTEN COMMENTS TO MY OFFICE, ATTENTION JULIE MINIARSKI. IF YOU HAVE ANY QUESTIONS REGARDING THIS, PLEASE CONTACT HER AT 887-3391.

Very truly yours,

James E. Dyer
JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

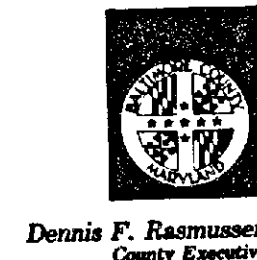
JED:jw

Enclosures

cc: Mr. & Mrs. Emmett H. Brooks, Jr.
Mr. George D. England

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3353

J. Robert Haines
Zoning Commissioner



Your petition has been received and accepted for filing this
14th day of February, 1990.

J. Robert Haines
J. ROBERT HAINES
ZONING COMMISSIONER

Received By:

James E. Dyer
Chairman,
Zoning Plans Advisory Committee

Petitioner: Emmett H. Brooks, et ux
Petitioner's Attorney: John B. Howard

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: J. Robert Haines
Zoning Commissioner

DATE: April 9, 1990

FROM: Pat Keller, Deputy Director
Office of Planning and Zoning

SUBJECT: Emmett H. Brooks, Jr./Baltimore Gas and Electric
Company, Inc., Item 265

The Petitioners request a Variance to permit a rear setback of 10 ft. for an outdoor public utility service center (substation); and to permit a front setback of 50 ft.; and to amend the site plan as required in Case No. 88-183A.

Staff supports the Petitioners' request provided that dense, compact screening is provided along Mt. Wilson Lane.

Should the Petitioners' request be granted, staff offers the following restriction:

- A final landscape plan shall be submitted to the Deputy Director of the Office of Planning and Zoning prior to the issuance of any building permit.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3211.

PK/JL/cmm

Baltimore County
Fire Department
Towson, Maryland 21204-2586
484-4500
Paul H. Reincke
Chief

MARCH 14, 1990

J. Robert Haines
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, MD 21204

RE: Property Owner: EMMETT H. BROOKS, JR.
Location: S/S MT. WILSON LANE
Item No.: 265 Zoning Agenda: MARCH 6, 1990
Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.
7. The Fire Prevention Bureau has no comments at this time.

REVIEWER: *Pat Keller* 3/14/90 Noted and Approved *Pat Keller*
Planning Group Fire Prevention Bureau
Special Inspection Division

JK/KEK

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Zoning Advisory Committee DATE: March 5, 1990

FROM: Robert W. Bowling, P.E.

RE: Zoning Advisory Committee Meeting
for March 6, 1990

The Developers Engineering Division has reviewed the subject zoning items and we have no comments for Items 262, 263, 264, and 268.

For Item 259 the previous County Review Group comments remain in effect.

For Item 261 the minimum width for a single panhandle frontage is 20 feet (12 feet is shown). The septic area on the opposite side of the road would require crossing of the public road R/W with private sewer line (which would require a franchise agreement).

For Items 265, 269 and 270, a County Review Group Plan may be required for each property.

For Items 267 and 268 the previous County Review Group comments remain in effect.

For Item #203 revised - Caves Valley Gold Club - the previous County Review Group comments still apply.

Amendment for 90-154A - No. 819 Ridgeleigh Road, we have no comments.

Robert W. Bowling
ROBERT W. BOWLING, P.E., Chief
Developers Engineering Division

RWB:s

QUALIFICATIONS OF APPRAISER (Bernard F. Semon)

MEMBER

Baltimore County Appraiser's Society - President,
1978-80

Greater Baltimore Board of Realtors, Inc. - Past
Chairman of Executive Committee - Appraisal Division

Baltimore County Chamber of Commerce - President
1984

Home Builders Association of Maryland - Instructor -
School of Building and Construction
Commercial Division

EDUCATION AND BACKGROUND

Graduate of Baltimore Polytechnic Institute

Completed Real Estate Appraisal Courses I and II,
Johns Hopkins Evening College

Licensed Real Estate Salesman since 1960

Actively engaged in the appraisal and acquisition of
Real Estate since 1963

Actively participated in limited partnerships involving
residential condominium townhouse development,
commercial and office building partnerships as well
as a major size residential large lot development

APPRAISED FOR

Baltimore County Bureau of Land Acquisition

Carroll County Land Acquisition Division

Baltimore County Office of Law

Orphans' Court for Baltimore County

Baltimore Gas and Electric Company

Baltimore County Savings and Loan Association

Baltimore Federal Savings and Loan Association

Federal Savings Bank

Baltimore County
Department of Public Works
Bureau of Traffic Engineering
Courts Building, Suite 405
Towson, Maryland 21204
(301) 887-3554

March 9, 1990

Mr. J. Robert Haines
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Dear Mr. Haines:

The Bureau of Traffic Engineering has no comments for items number 259, 261, 262, 263, 264, 265, 266, 267, 268, and 270.

Very truly yours,

Michael S. Flanigan
Michael S. Flanigan
Traffic Engineer Assoc. II

MSF/lab

MAR 21 1990

Heritage Savings Association

John Hanson Savings Bank

Maryland National Bank

Municipal Savings Bank

Patapsco Federal Savings and Loan Association

Provident Bank of Maryland

Signet Home Loan Corporation

Signet Bank

Yorkridge-Calvert Savings and Loan Association

Maryland State Highway Administration

Wilson T. Ballard and Company, Engineers

Kidde Consultants

Numerous Attorneys, Engineers, Developers and Private
Individuals

TESTIFIED BEFORE

Zoning Commissioner - Baltimore County, Maryland

Board of Zoning Appeals - Baltimore County, Maryland

Assessment Appeals Board - Baltimore County, Maryland

Circuit Court for Baltimore City

Circuit Court for Baltimore County

Circuit Court for Harford County

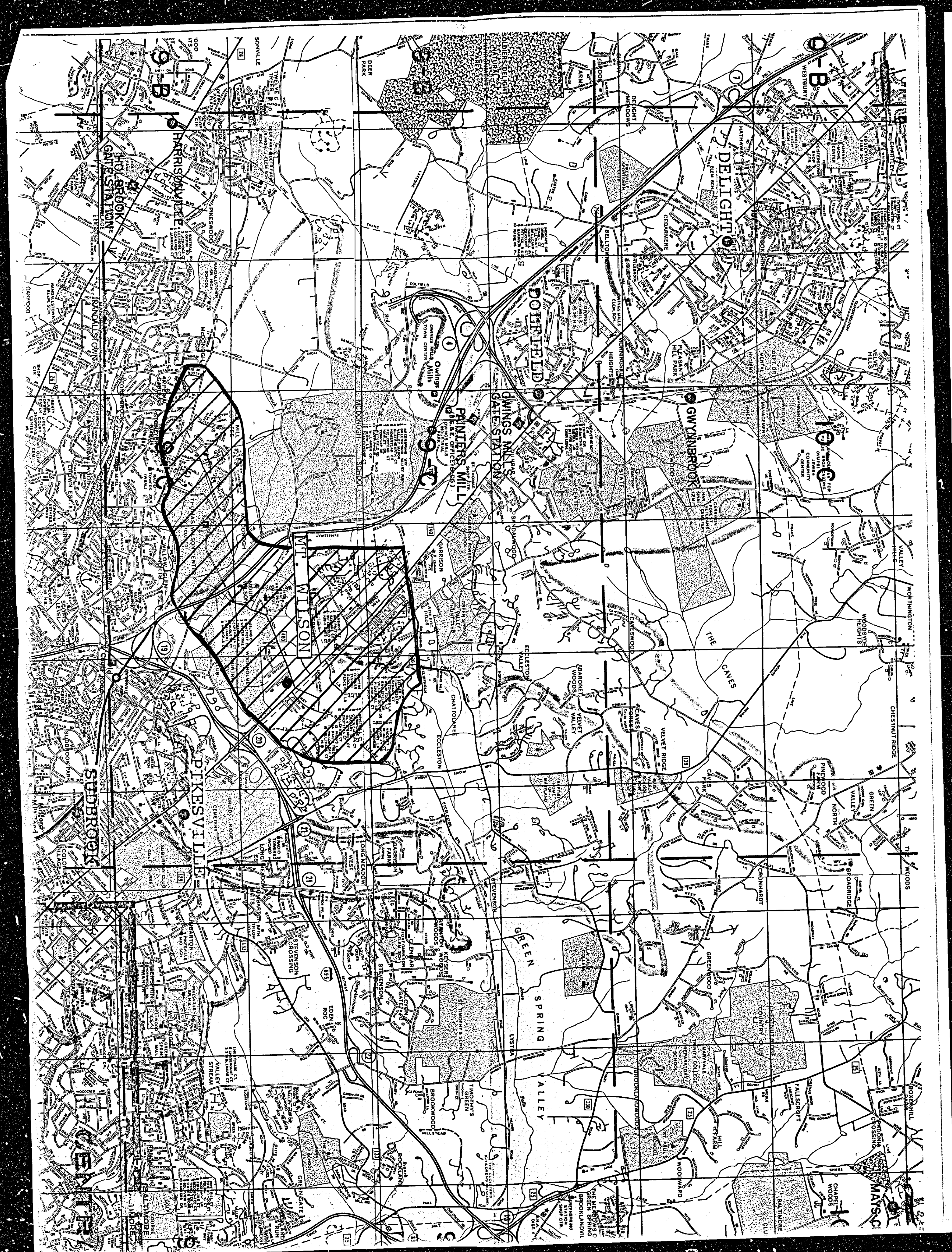
Circuit Court for Howard County

District Court for Baltimore City

Public Service Commission of Maryland

Board of Municipal and Zoning Appeals, Baltimore City,
Maryland

Maryland Tax Court



PLEASE PRINT CLEARLY	
PETITIONER(S) SIGN-IN SHEET	ADDRESS
<i>J.B. Howard</i>	<i>Attorney for BG&E</i>
<i>J.W. Keltz</i>	<i>B.G. & E.</i>
<i>C.T. Gandy Jr.</i>	<i>BG&E</i>
<i>Henry M. Miller</i>	<i>BG&E</i>
<i>Martha Dillen</i>	<i>BG&E</i>
<i>Richard W. Semon</i>	<i>BG&E</i>
<i>Richard W. Bauer</i>	<i>724 Downy Valley Rd.</i>
<i>Jerome H. Kossin</i>	<i>BG&E</i>
<i>Emmett Brooks</i>	<i>15 Mt. Wilson Lane</i>
<i>Rob. Brooks</i>	<i>8833 Pikesville Road</i>

NER
ISRAEL
RABBINICAL
COLLEGE
MOUNT WILSON LANE, BALTIMORE, MD 21206
OFFICE: 301-484-7900
FAX: 301-484-7511
JEROME H. KASSIN
ASSOCIATE EXECUTIVE DIRECTOR

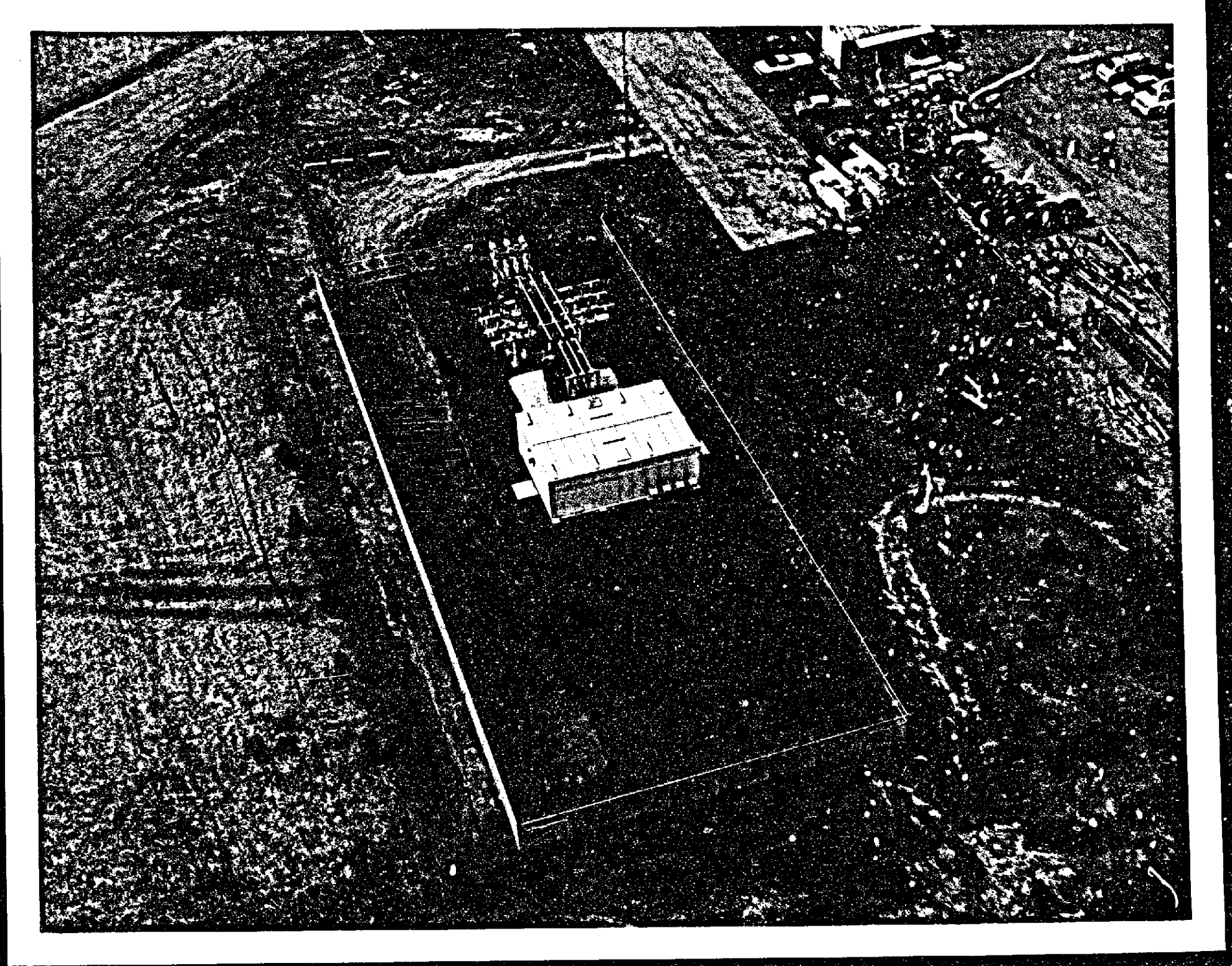
VENABLE, BAETJER AND HOWARD
ATTORNEYS AT LAW
A PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS
BALTIMORE, MD
WASHINGTON, D.C.
MCLEAN, VA
ROCKVILLE, MD
BETHESDA, MD
210 ALLEGHENY AVENUE
P.O. BOX 5517
TOWSON, MARYLAND 21204-5517
13011 823-4111
FAX 13011 823-0147
May 29, 1990
WRITER'S DIRECT NUMBER IS 494-9151
JOHN B. HOWARD

Ann M. Nastarowicz
Deputy Zoning Commissioner
1st Floor
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204
Re: Petitions for Special Exception and Variance
S/S Mt. Wilson Lane, 200' NE of Pikesville Road
(15 Mt. Wilson Lane)
3rd Election District - 3rd Councilmanic District
Emmett H. Brooks, Jr., et ux - Petitioners
Case No. 90-421-XA

Dear Ms. Nastarowicz:
In compliance with paragraph 4 of the restrictions contained in your Order of April 30, 1990 in the above-captioned matter, I am submitting herewith a plat designating the revised special exception area and a metes and bounds description thereof.
I trust the enclosed conforms with your request. Please let me know, of course, should you need any further information.
Thank you very much for your careful consideration of this matter.

Very truly yours,
J.B. Howard
John B. Howard

JBH:cns
Enclosure
cc: William E. Colburn, Esquire



VENABLE, BAETJER AND HOWARD
ATTORNEYS AT LAW
A PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS
BALTIMORE, MD
WASHINGTON, D.C.
MCLEAN, VA
ROCKVILLE, MD
BETHESDA, MD
210 ALLEGHENY AVENUE
P.O. BOX 5517
TOWSON, MARYLAND 21204-5517
13011 823-4111
FAX 13011 823-0147
May 1, 1990
WRITER'S DIRECT NUMBER IS 494-9151
JOHN B. HOWARD

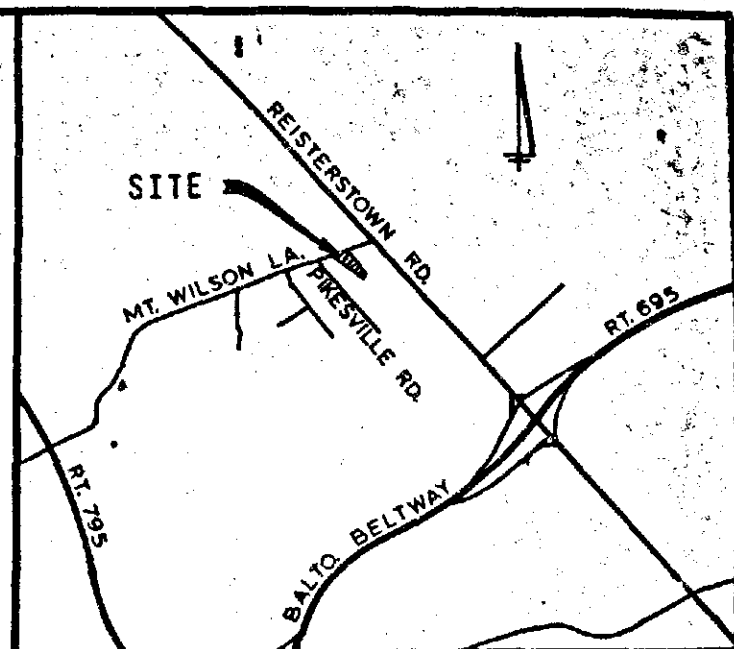
Ann M. Nastarowicz
Deputy Zoning Commissioner
111 W. Chesapeake Avenue
Towson, Maryland 21204
Re: BG&E - Mt. Wilson Substation
Case No. 90-421-XA

Dear Ms. Nastarowicz:
At Rob Hoffman's request, I am enclosing herewith a copy of the Load Center Plat which was to be included in the filing of the above-captioned matter. Should you have any questions, please do not hesitate to contact Rob Hoffman.

Sincerely,
Barbara A. White
Barbara A. White
Legal Assistant

BAW:cns
Enclosure
cc: Robert A. Hoffman, Esquire

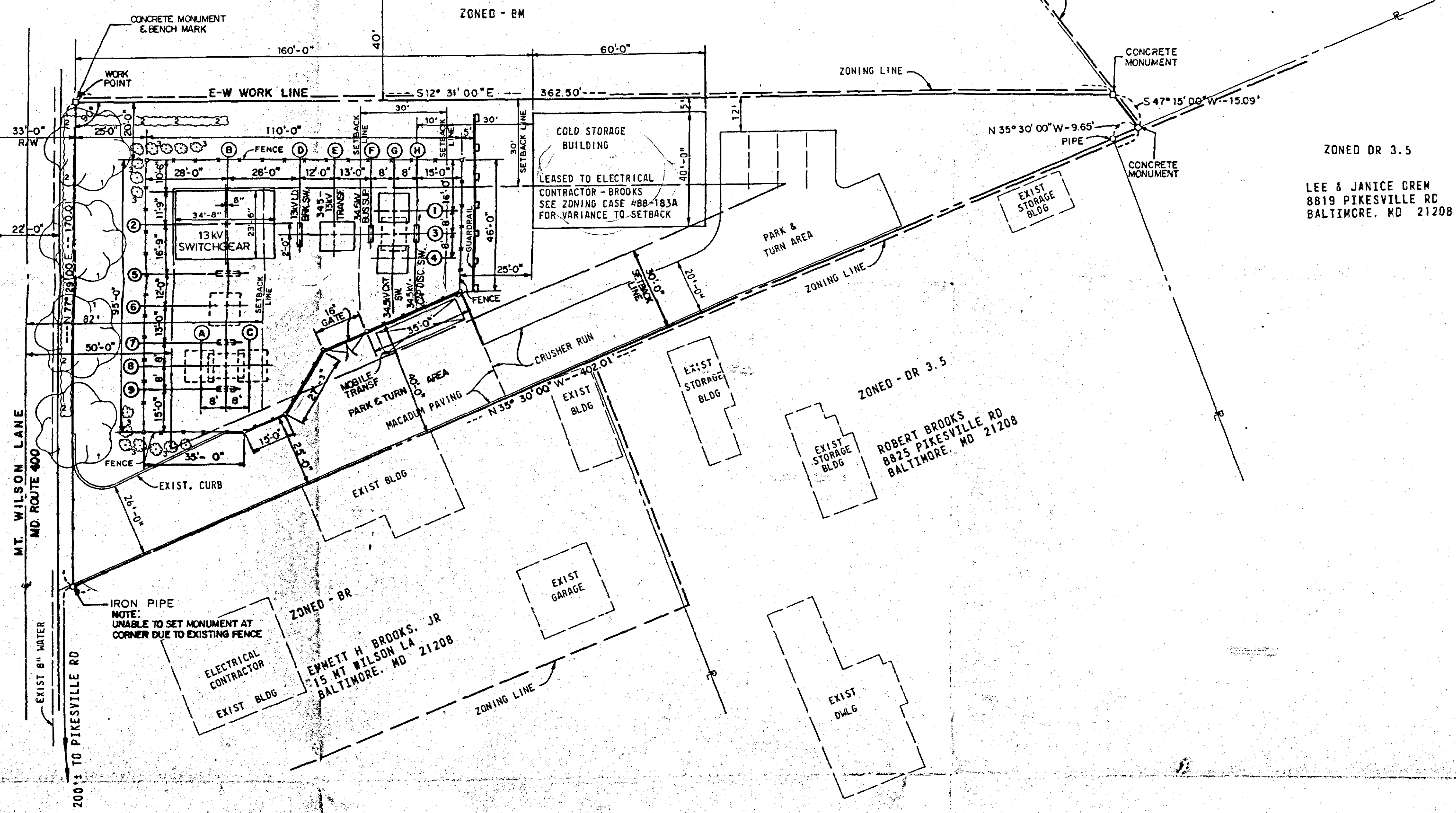
PLANT LIST			
PLANT NUMBER	# REQ'D/EXISTING	PLANT NAME	SIZE
(1) EXISTING AS SHOWN	4	JUGLANS NIGRA - BLACK WALNUT	APPROX. 12" DIAMETER, BREAST HEIGHT - 30" TALL.
(2) EXISTING AS SHOWN. HEDGE ROW SCREEN, APPROX. 170' LONG ON NORTH & WEST PROPERTY LINE.	15	LIGUSTRUM OVALIFOLIUM - CALIFORNIA PRIVET	5' - 6" TALL.
(3) TO BE PLANTED.		THUJA OCCIDENTALIS NIGRA-ABORVITAE.	4' - 5' TALL



VICINITY MAP
SCALE: 1" = 2000'

HOPKINS, SAMUEL, ET AL
1111 CHARLES ST
BALTIMORE, MD 21201

ZONED - O-1 - VACANT -



J. W. MICKEY (PROP. L.S. #1116)
DISTRIBUTION & TRANSMISSION ENGR. DEPT.
BALTIMORE GAS & ELECTRIC COMPANY

Item #265

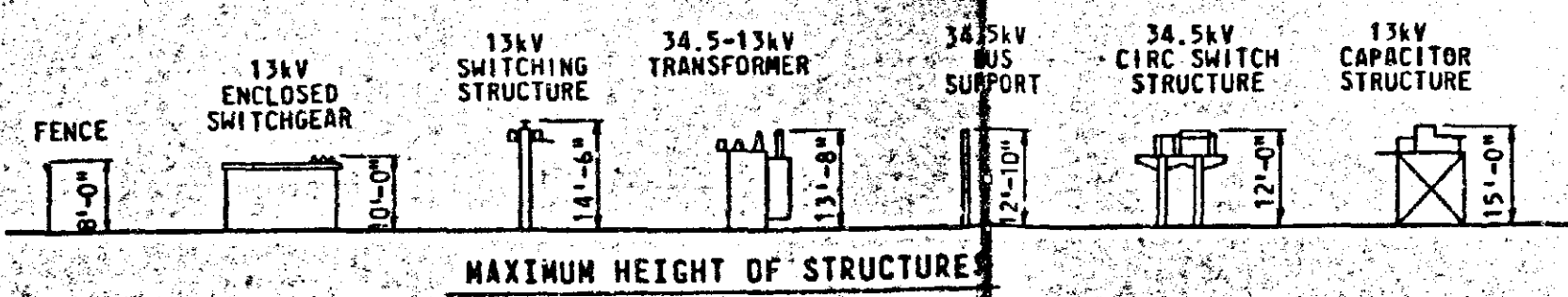
- REQUESTED VARIANCES:**
- SEC. 238.2 & SEC. 102.2
PERMIT REAR SETBACK FOR SUBSTATION OF 10' IN LIEU OF REQUIRED 30'.
 - SEC. 303.2
PERMIT FRONT YARD SETBACK OF 50' IN LIEU OF REQUIRED 82'.

THIS PROPERTY LOCATED IN
3RD ELECTION DISTRICT
OF BALTIMORE COUNTY, MARYLAND
ZONED - BR
TAX MAP-68 PARCEL-188 GRID-13/19
AREA-0.776 AC.
TITLE REFERENCE - 6288/491
TAX ACCOUNT NO - 03 02003442
OWNER - EMMETT H. BROOKS & W.F.
15 MT WILSON LA
BALTIMORE, MD 21208
UNMANNED SUBSTATION

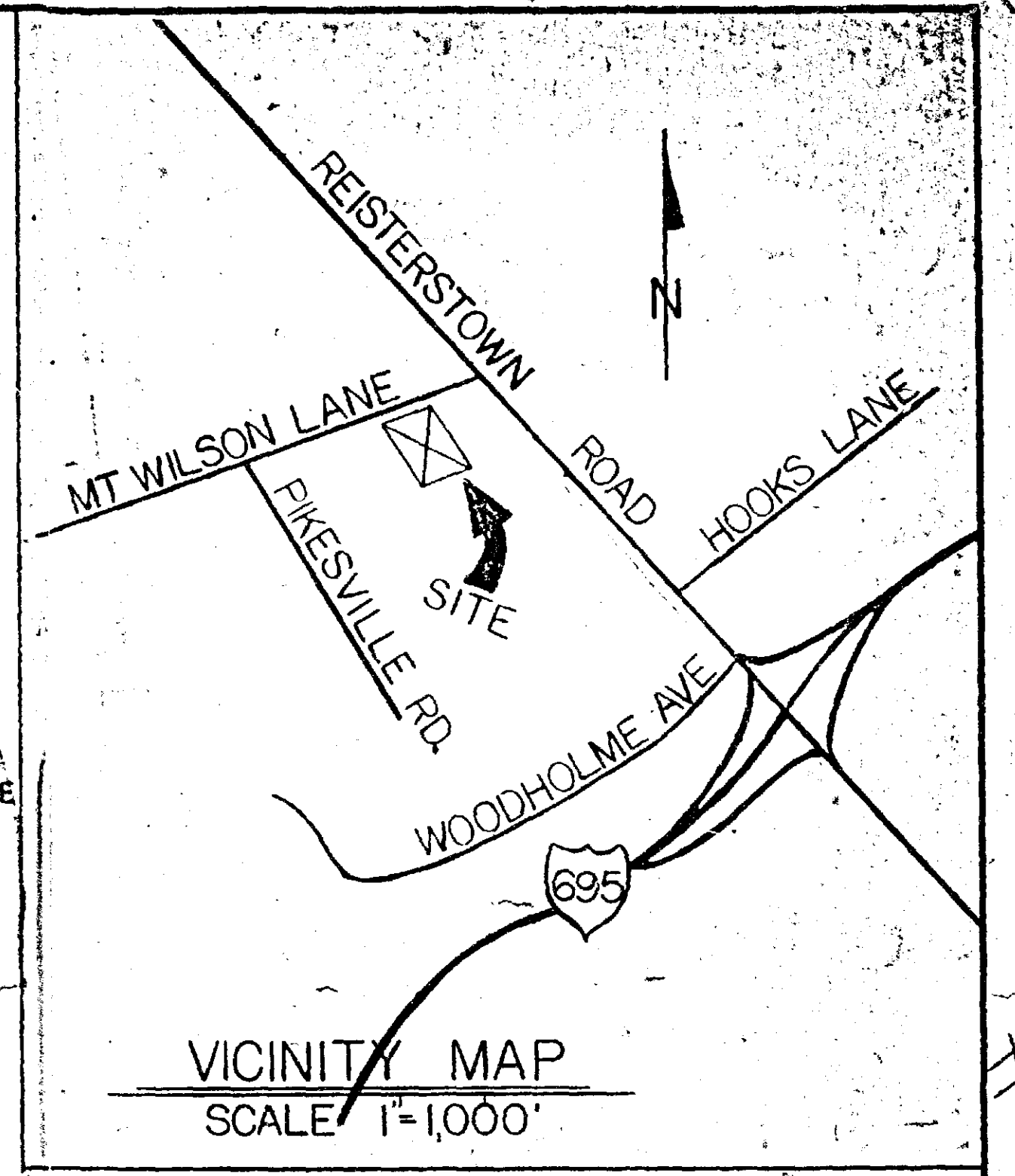
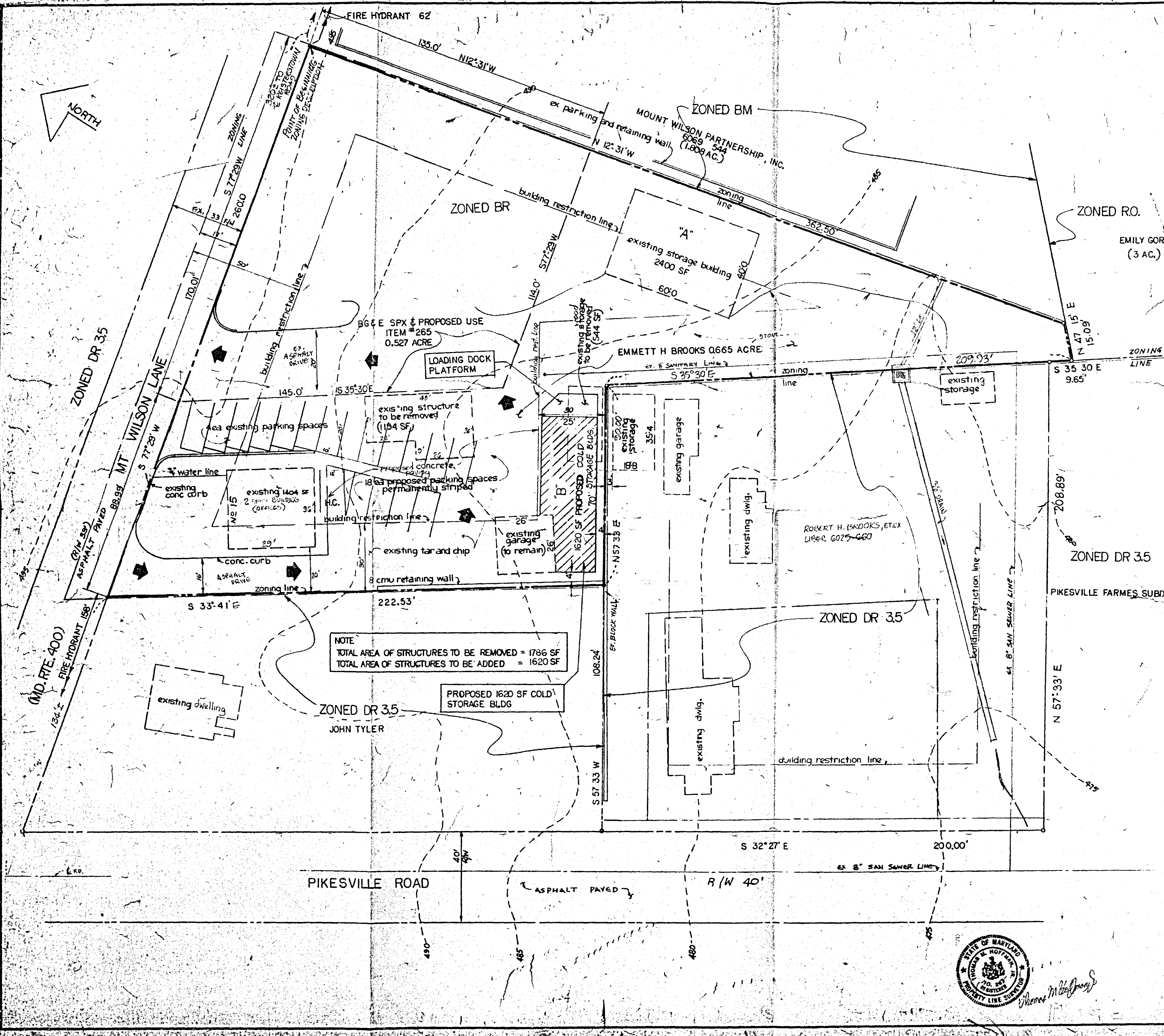
- ZONING HISTORY:**
- CASE NO. 4791-X
PETITION FOR SPECIAL EXCEPTION FOR ELECTRIC SUBSTATION
DATE - 11/18/59
 - CASE NO. 88-27
RECLASSIFICATION FROM BM & DR 3.5 TO BR
DATE - 3/2/81
 - CASE NO. 88-183A
VARIANCE FROM SEC. 238.2 TO PERMIT REAR YARD SETBACK OF 5' IN LIEU OF REQUIRED 30'
DATE - 11/25/87

PETITIONER'S
311

90-421-XA



Rev	Date	D.O./Ext. No.	Description	Approved	ENGINEERING	PLAN FOR SPECIAL EXCEPTION, VARIANCE & BUILDING PERMIT WITH LANDSCAPING
1990	11	EC-1022 E59M1400	INSTLN OF 1-20MVA 34.5-13KV TRANSF. 3-13KV FEEDER POS & 2-13KV DISTR. FORS (88602, 8861)		Client: <i>DLT</i> Proj. Engr: <i>DLT</i> Prin. Engr: <i>DLT</i> Supr. Engr: <i>DLT</i>	34.5-13kV SUBSTATION MT. WILSON
A	2-8-90	EC-1022 E59M1400	REV PER COUNTY COMMENTS		Design Group: <i>DLT</i> Drawing: <i>DLT</i> Check: <i>DLT</i> Appr: <i>DLT</i> Scale: 1" = 20'-0"	BALTIMORE GAS AND ELECTRIC COMPANY DISTRIBUTION & TRANSMISSION DIVISION SYSTEMS ENGINEERING SECTION File: <i>DLT</i> Microfilm: <i>DLT</i> Orig. & Rev. No. <i>DLT</i>



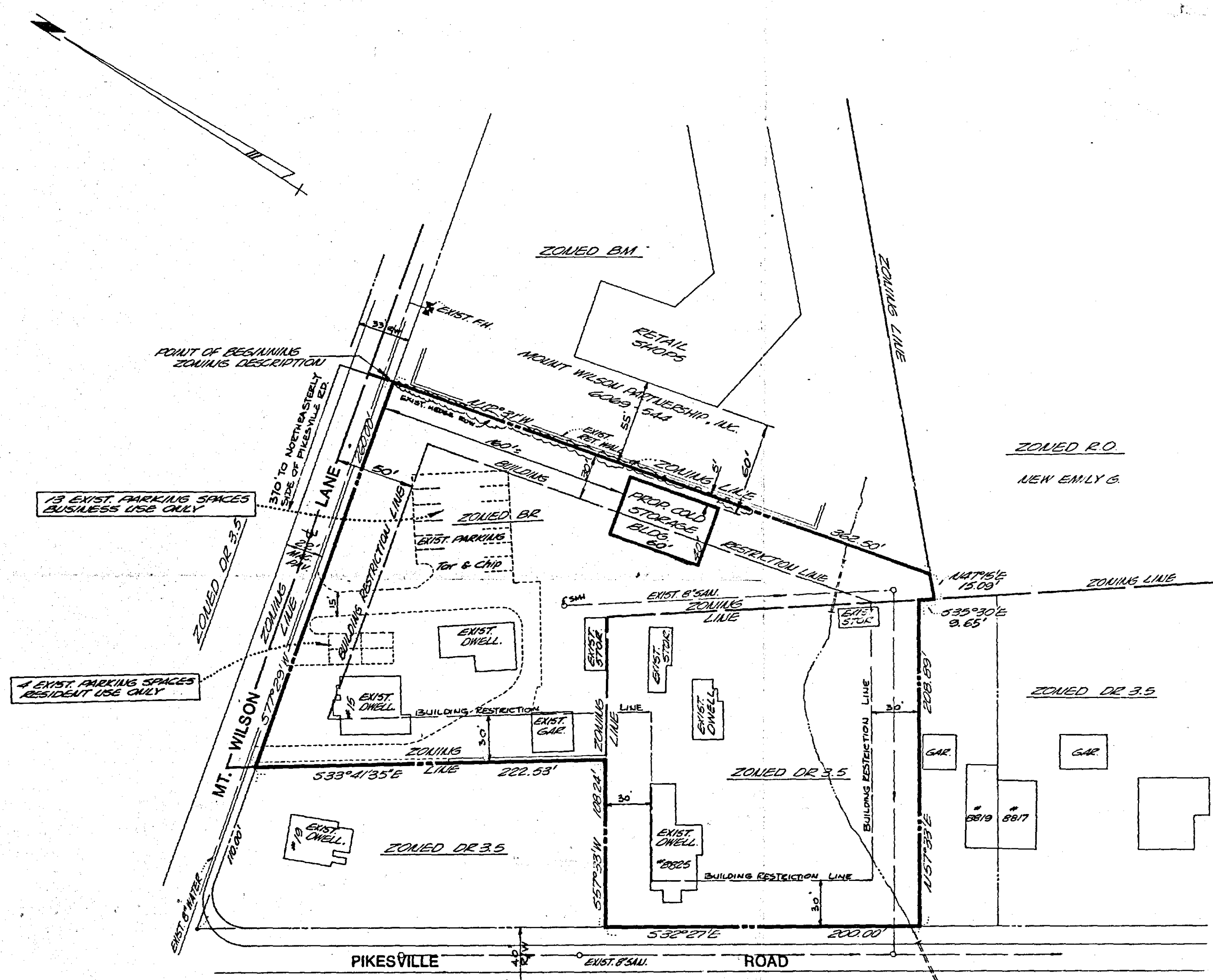
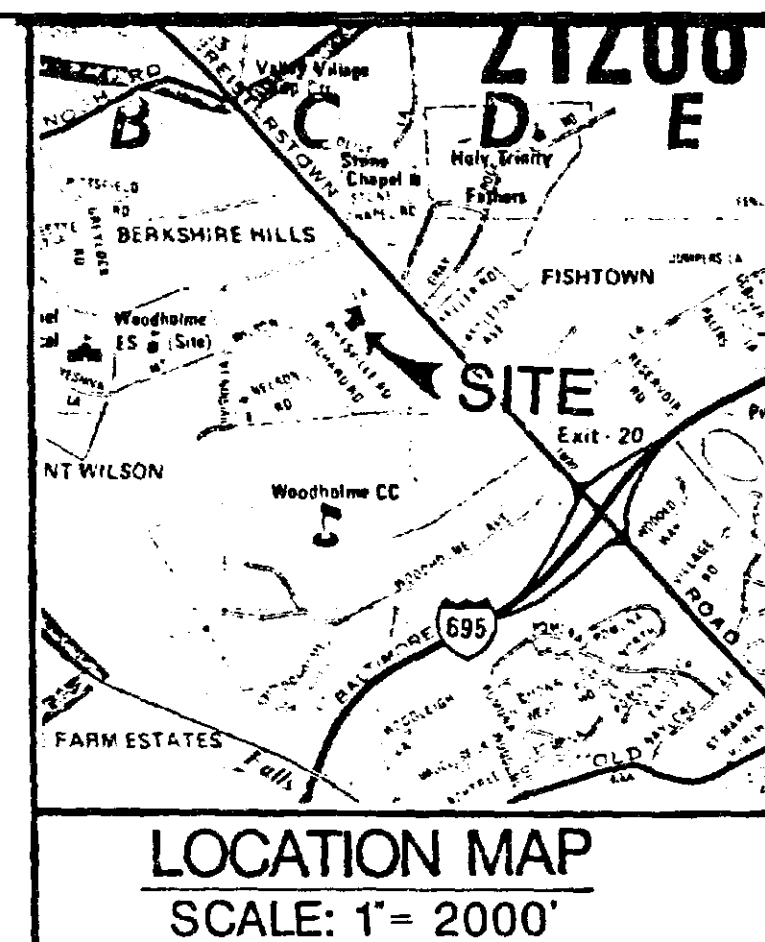
floor area ratio calculation
total site area 1.19 acres = 56,553 sf
1/2 of mt. wilson lane = 4,290 sf
gross floor area + 6100 sf = 60,843 sf

1. OWNER: EMMETT H. BROOKS & WIFE
ADDRESS: 15 MT. WILSON LANE, BALTIMORE, MARYLAND 21208
2. DEED REFERENCE: 6288-491
3. ACCOUNT NUMBERS: 03-02-003442, 03-23-001028
4. EXISTING ZONING: BR
5. APPLICANT: EMMETT H. BROOKS & WIFE, 15 MT. WILSON LANE, BALTIMORE, MARYLAND 21208
6. ENGINEER: HOFFMAN and HOFFMAN, SURVEYORS & LAND PLANNERS, 5502 STONINGTON AVENUE, BALTIMORE, MARYLAND 21208, 341-448-0181
7. ELECTION: DISTRICT 3
8. COUNCILMANIC DISTRICT: 3
9. SITE ACREAGE: 1.19 ACRES
10. COMMON OPEN SPACE: DENSITY CALCULATIONS REQUIRED: NONE
11. OFFSTREET PARKING REQUIRED: 4 - PROVIDED 13
12. PROPOSED HEIGHT OF BUILDING: 12'
13. LANDSCAPING: AS PER BALTIMORE COUNTY REQUIREMENTS
14. PREVIOUS COMMERCIAL PERMIT: N/A 99700, CONTROL NO. C2386-87, DATED DEC. 1987
15. PREVIOUS ZONING VARIANCE: CASE NO. 88-183-A
"A" TO PERMIT A REAR YARD SETBACK OF 5' IN LIEU OF THE REQUIRED 30' SETBACK
16. PROPOSED ZONING VARIANCE: TO ALLOW A COLD STORAGE BLDG. OF APPROXIMATELY 1620 S.F. WITH A REAR SETBACK OF 4' INSTEAD OF THE REQUIRED 30'
17. ALL EXISTING BUILDINGS ARE TO REMAIN, AND PRESENT USE (AS INDICATED ON PLAN) IS TO CONTINUE.
18. NO I.D. SIGNS ARE EXISTING OR PROPOSED ON PROPERTY.
19. NO RETAIL SALES ARE CURRENTLY, OR PROPOSED TO BE, CONDUCTED FROM THIS PROPERTY.
20. PROPOSED BLDG. TO BE USED FOR STORAGE OF ELECTRICAL EQUIPMENT.
21. PARKING - 2808 sf. office = 2.81 X 3.3 = 10 SPACES
1000 sf.
8 YARD EMPLOYEES = 8 SPACES
18 PARKING SPACES REQD / 13 SPACES PROVIDED

PROJECT
SITE PLAN - N° 15 MT. WILSON LN
PROPOSED BLDG DEMO AND ADDITION
USE: ELECTRICAL & PLUMBING SHOP
DWG. NO. C-1

ALGER ELECTRIC INC.
electrical • mechanical • sprinkler • petroleum equip.
15 Mt. Wilson Lane, Baltimore, MD 21208, PH 481-3546

REVISIONS
SCALE: 1"=20'
DATE: 11-27-94
DRAWING NO. C-1



PARKING SPACE REQUIREMENTS
WAREHOUSE, COMMERCIAL USE:
"1 FOR EACH 3 EMPLOYEES
IN THE NUMERICALLY LARGEST
SHIFT"
NUMBER OF EMPLOYEES - 10
SPACES REQUIRED - 4
SPACES PROVIDED - 13

- NOTES**
- OWNER: EMMETT H. BROOKS & WIFE
15 MOUNT WILSON LANE
BALTIMORE, MARYLAND 21208
 - DEED REFERENCE: 6288-491
 - ACCOUNT NUMBERS: 03-02-003442, 03-23-001028
 - EXISTING ZONING: BR
 - APPLICANT: EMMETT H. BROOKS
15 MOUNT WILSON LANE
BALTIMORE, MARYLAND 21208
 - ENGINEER: STV/LYON ASSOCIATES, INC.
21 GOVERNORS COURT
BALTIMORE, MARYLAND 21207
PHONE: 944-9112
 - ELECTION: DISTRICT 3
 - COUNCILMANIC DISTRICT: 3
 - SITE ACREAGE: 2.12 ACRES
 - COMMON OPEN SPACE: DENSITY CALCULATIONS
REQUIRED: NONE
 - OFFSTREET PARKING REQUIRED: 4 - PROVIDED 13
 - PROPOSED HEIGHT OF BUILDING: 12'
 - LANDSCAPING: AS PER BALTIMORE COUNTY REQUIREMENTS

ZONING
EXISTING ZONING: BR AND DR 3.5
PROPOSED ZONING: SAME WITH A VARIANCE TO ALLOW A METAL BUILDING FOR COLD STORAGE OF APPROXIMATELY 2,400 SF WITH A REAR DISTANCE OF 5' INSTEAD OF THE REQUIRED 30'

AREA - TOTAL PROPERTY
2.12 ACRES ±
(92,502 S.F. ±)
PARTION OF PROPERTY
ZONED DR 3.5 ± APPROX. 40,500 SQ. FT.

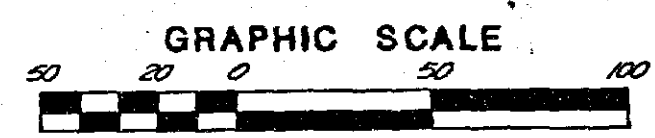
NOTE:
ALL EXISTING BUILDINGS ARE TO REMAIN, AND PRESENT USE (AS INDICATED ON PLAN) IS TO CONTINUE.

NO I.D. SIGNS ARE EXISTING OR PROPOSED ON PROPERTY.

NO RETAIL SALES ARE CURRENTLY, OR PROPOSED TO BE, CONDUCTED FROM THIS PROPERTY.

PROPOSED BLDG. TO BE USED FOR STORAGE OF ELECTRICAL EQUIPMENT

PARKING - 13 (9x19') PARKING SPACES ARE PROVIDED.



STV/LYON ASSOCIATES.
ENGINEERS, ARCHITECTS & PLANNERS
21 GOVERNORS COURT
BALTIMORE, MD 21207-2722

REV. 7-13-87 - ADDED NOTES
REV. 3-2-87 BLDG. RESTRICTION LINE 50' FROM CL AND GENERAL REVISIONS

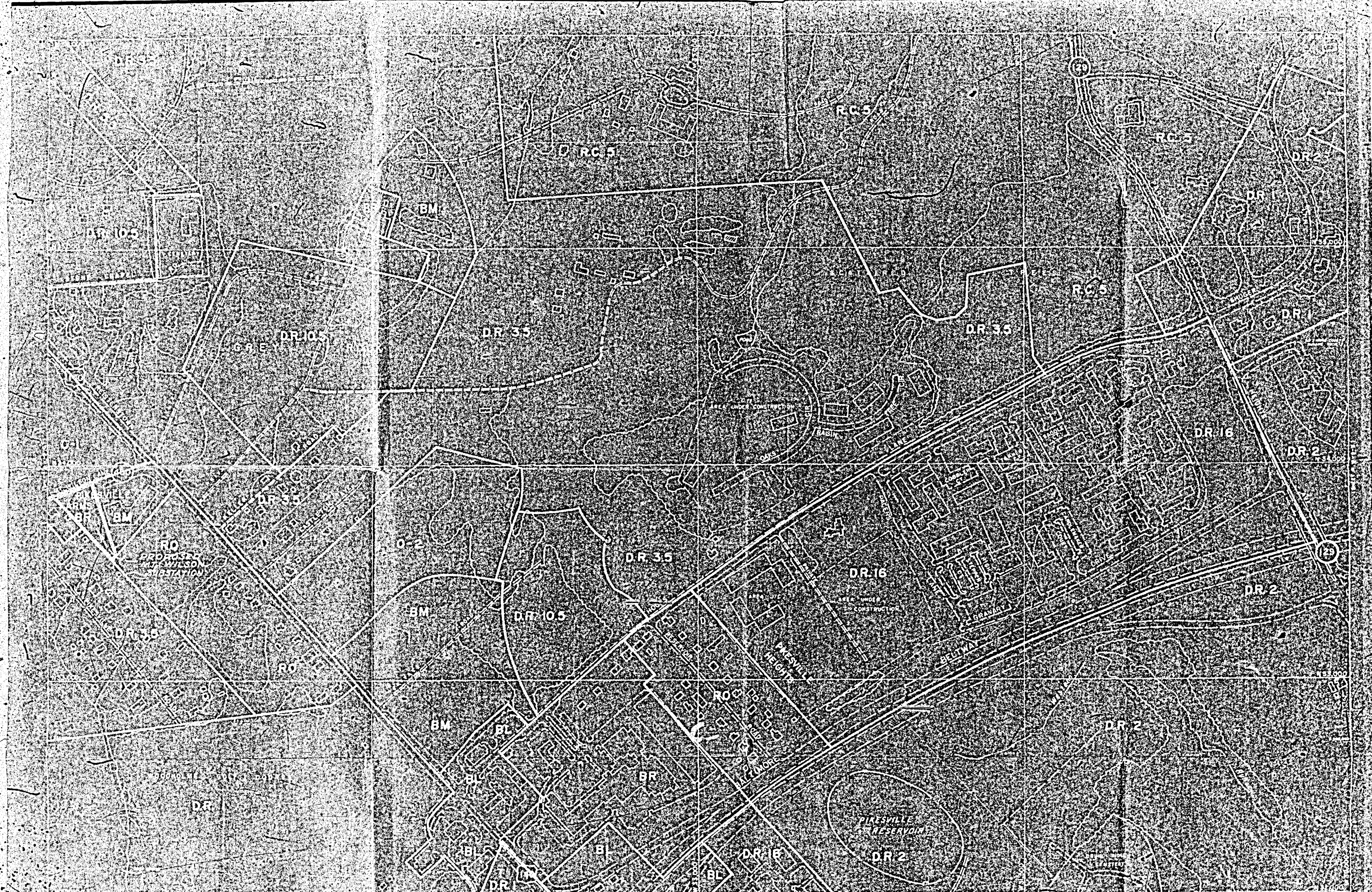
PLAN PREPARATION
DRAWN BY: K.B.
CHECKED BY: AKQ
DATE: 1/30/87
SCALE: 1" = 50'

PROPOSED METAL STORAGE BLDG.
15 MT. WILSON LANE 3RD ELECTION DIST.
BALTIMORE CO. MARYLAND

DRAWING NO.
7935-59-002
SHEET NO.
1 of 2

Re Honer's Exhibit #30
MICROFILMED

PLAT TO ACCOMPANY PETITION FOR VARIANCE



BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
OFFICIAL ZONING MAP

LOCATION	SHEET
PIKESVILLE GREY FORD	265

item #
265
90421XA

Baltimore County Government
Office of Zoning Administration
and Development Management

111 West Chesapeake Avenue
Towson, MD 21204

July 13, 1994 (410) 887-3353

Martha A. Delea, Esquire
Baltimore Gas and Electric
Charles Center
P.O. Box 1475
Baltimore, MD 21203-1475

RE: Mt. Wilson Substation Property
Road Widening
Case Number 90-421-XA
3rd Election District

Dear Ms. Delea:

Reference is made to our meeting last Tuesday, July 5, and your subsequent letter to Arnold Jablon, Director, dated July 7, 1994, which has been referred to me for reply. Essentially all of the points that you covered can be confirmed with some slight changes to the wording for clarity. Simply stated, any development in accordance with the site plan in the zoning case will not be affected by road widening even though the resulting street setbacks would be less than what was granted.

In addition to the zoning determination, and as requested at our meeting, this office needs red-lined public hearings plans indicating the new right-of-way lines. This plan (2 copies) would, at our request, be reviewed by E. Avery Harden, Landscape Coordinator in Public Works, and John J. Dillon, Planner in the Office of Planning and Zoning, both for concurrence with our zoning determination.

The plans should be accompanied by a revised cover/confirmation letter (see attached changes) and a check for \$40.00 made payable to Baltimore County, Maryland.

I trust that the information set forth in this letter is sufficiently detailed and responsive to the request. If you need further information or have any questions, please do not hesitate to contact me at 887-3391 (FAX - 887-5708).

Very truly yours,

W. Carl Richards, Jr.
W. Carl Richards, Jr.
Zoning Supervisor

MCR:scj

cc: E. Avery Harden
John J. Dillon

Printed with Soy-based Ink
on Recycled Paper



CHARLES CENTER • P.O. BOX 1475 • BALTIMORE, MARYLAND 21203-1475

MARTHA A. DELEA
ATTORNEY
(410) 234-5887

July 7, 1994

RECEIVED
JUL 11 1994
ZADM

Arnold Jablon, Director
Office of Zoning Administration
and Development Management
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: *Road Widening*
Mt. Wilson Substation Property
Case 90-421-XA
3rd Election District

Dear Mr. Jablon:

Baltimore Gas and Electric Company (BGE) owns a 0.776 acre parcel of land on the south side of Mt. Wilson Lane, near Reisterstown Road. The property is currently being used for an outdoor electric substation. The existing substation facilities were installed pursuant to Zoning Special Exception Number 90-421-XA, which Order was issued on April 30, 1990 (the "BGE Order"). The BGE Order also provides for the installation of future facilities as shown on the plat that accompanied the Petition. Enclosed herewith are copies of the BGE Order and the final plat which was modified per the BGE Order.

Recently, Sol Levinson Brothers, Inc. ("Levinson"), the contract purchaser of a parcel of land on the north side of Mt. Wilson Lane, filed an Application for a Zoning Special Exception to allow its use of the property for a funeral establishment. An Order was issued on May 23, 1994 (the "Levinson Order") authorizing this use subject to certain conditions. Condition number 3 reads as follows:

"3) The Petitioner shall be required to perform the necessary improvements to Mt. Wilson Lane, on both the north and south sides thereof, which could involve the widening of Mt. Wilson Lane along the BGE property as depicted on Petitioner's Exhibit 1."

Arnold Jablon
August 26, 1994
Page 2

The language in condition 3 was subsequently clarified by the Hearing Examiner in his letter to Robert A. Hoffman, Esq. dated June 22, 1994. Enclosed herewith are copies of the Levinson Order and the letter to Mr. Hoffman dated June 22, 1994.

Mt. Wilson Partnership, Inc., the owner of the shopping center located on the south side of Mt. Wilson Lane, to the east of BGE's property, filed an Appeal objecting to the Levinson Order. As a condition of dismissing its appeal, the shopping center owner has demanded that a turn lane be installed on the south side of Mt. Wilson Lane.

Levinson has determined that, in order to satisfy the Hearing Examiner's requirement concerning road work, it would be more cost effective to construct only minor road improvements on the north side of Mt. Wilson Lane and to widen the road on the south side.

For the reasons set forth above, both Levinson and the shopping center owner have requested that BGE convey a portion of its substation property to Levinson for highway widening purposes.

BGE is willing to make such a conveyance as long as the zoning status of its existing and future facilities, as shown on its approved Special Exception plat, will not be adversely affected by this conveyance.

Representatives from BGE have spoken with Carl Richards and Kate Milton concerning this matter. Mr. Richards advised us as follows:

1. This conveyance would be within the spirit and intent of the zoning regulations and the BGE Order.
2. The existing facilities will not, by reason of the conveyance, be considered "non-conforming". The setback will be technically non-conforming, but all improvements made in accordance with the Special Exception plat will not violate the zoning regulations or the BGE Order.

Arnold Jablon
July 7, 1994
Page 2

The language in Condition 3 was subsequently clarified by the Hearing Examiner in his letter to Robert A. Hoffman, Esq. dated June 22, 1994. Enclosed herewith are copies of the Levinson Order and the letter to Mr. Hoffman dated June 22, 1994.

Mt. Wilson Office Center Limited Partnership, the owner of the shopping center located on the south side of Mt. Wilson Lane, to the east of BGE's property, filed an appeal objecting to the Levinson Order. As a condition of withdrawing its appeal, the shopping center owner has demanded that a turn lane be installed on the south side of Mt. Wilson Lane.

Levinson has determined that, in order to satisfy the Hearing Examiner's requirement concerning road work, it would be more cost effective to construct only minor road improvements on the north side of Mt. Wilson Lane and to widen the road on the south side.

For the reasons set forth above, both Levinson and the shopping center owner have requested that BGE convey a portion of its substation property to the County for highway widening purposes.

BGE is willing to make such a conveyance as long as the zoning status of its existing and future facilities, as shown on its approved Special Exception plat, will not be adversely affected by this conveyance.

Representatives from BGE have spoken with Carl Richards and Kate Milton concerning this matter. Mr. Richards advised us as follows:

1. This conveyance would be within the spirit and intent of the zoning regulations and the BGE Order.
2. The existing facilities will not, by reason of the conveyance, be considered "non-conforming". *The setback will be technically non-conforming, but all improvements made in accordance with the Special Exception plat will not violate the zoning regulations or the BGE Order.*
3. The installation of the future facilities in the locations shown therefor on the approved Special Exception plat will not require any hearings or front setback variances *beyond the additional*

Arnold Jablon
August 26, 1994
Page 3

3. The installation of the future facilities in the locations shown therefor on the approved Special Exception plat will not require any additional hearings or front setback variances (beyond the hearing already held and the front setback variance already granted).
4. The conveyance will not have any other adverse impact upon the zoning status of the existing and future facilities shown on the approved Special Exception plat.
5. The advice set forth in Items 1 through 4 above applies regardless of whether the road widening causes the centerline of Mt. Wilson Lane to move southward, as long as BGE does not build any future facilities northward of the locations shown therefor on the approved Special Exception plat.

Please confirm that Mr. Richards' advice is correct by countersigning the enclosed copy of this letter in the space provided below.

Very truly yours,

Martha A. Delea

Martha A. Delea

Enclosures

W. Carl Richards, Jr.
Arnold Jablon, Director
Date 8/31/94

Arnold Jablon
July 7, 1994
Page 3

hearing already held and the front setback variance already granted.

4. The conveyance will not have any other adverse impact upon the zoning status of the existing and future facilities shown on the approved Special Exception plat.
5. The advice set forth in Items 1 through 4 above applies regardless of whether the road widening causes the centerline of Mt. Wilson Lane to move southward, as long as BGE does not build any future facilities northward of the locations shown therefor on the approved Special Exception plat.

Please confirm that Mr. Richards' advice is correct by countersigning the enclosed copy of this letter in the space provided below.

Very truly yours,

Martha A. Delea

Martha A. Delea

Enclosures

Arnold Jablon, Director

Date

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VENABLE BAH

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Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

Suite 113 Courthouse
400 Washington Avenue
Towson, MD 21204

Jur # 22, 1994

(410) 887-4386

Robert A. Hoffman, Esquire
Venable, Baetjer & Howard
210 Allegheny Avenue
Towson, Maryland 21204

RE: PETITIONS FOR SPECIAL EXCEPTION AND VARIANCE
NW/Cor. Reisterstown Road and Mt. Wilson Lane
3rd Election District - 3rd Councilmanic District
Mt. Wilson Office Center Limited Partnership - Petitioners
Case No. 94-384-XA

Dear Mr. Hoffman:

I am in receipt of your letter dated June 6, 1994 concerning the Order issued May 23, 1994 in the above-captioned matter. Specifically, you have requested a clarification of Restriction No. 3 thereof as to the required improvements to Mt. Wilson Lane and the specific locations of same, and clarification of the Order with respect to the use of the property on Saturdays.

In consideration of the comments contained in your letter, I have reviewed the Order issued May 23, 1994 and offer the following comments. The Petitioner shall be required to perform the necessary improvements on the north side of Mt. Wilson Lane along their property line as shown on Petitioner's Exhibit 1. This does not preclude or require the Petitioners improve Mt. Wilson Lane on the south side, including a portion of the property bordering B G & E's property line.

As to the use of the property on Saturdays, testimony indicated that there would be no funerals or church services taking place on Saturdays. While the Order states that there would be no "activity" taking place on Saturdays, it is understood that this does not preclude the Petitioners' employees from performing their duties on the site which are pertinent to the use of the property on regular business days.

I hope the above clarifies the intent of the Order issued in this matter. Should you have any further questions on the subject, please do not hesitate to contact me.

Very truly yours,
Timothy H. Kotroco

TIMOTHY H. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

THK:bjb